

A SHORT
INTRODUCTION
TO
MORAL PHILOSOPHY,
IN THREE BOOKS;
CONTAINING THE
ELEMENTS OF ETHICKS
AND THE
LAW OF NATURE.

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V O L I.

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BY THE

TRANSLATOR.

THE Author of this book had no inclination that it should be translated, as he wishes that all our students were much inured to the Latin tongue, which for the two last centuries, (and in many preceeding, in such style as they had) was the common channel of communication among the learned through all Europe. He was abundantly aware that such compilers, wrote in the most succinct manner their authors could, and yet touching at a great variety of subjects, with hints of the principal topics of reasoning, must appear very jejune and unpleasant to common readers: not to mention the unavoidable terms of art, which can scarce be turned into easy common language. But he found that the preventing a translation was impossible; as it was designed in Lon-

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don soon after the publication of the first edition. He therefore thought proper it should be rather done in Glasgow. The English reader must excuse the translator in the use of some few Latin terms of art in the 2d and 3d books, and in the omission of a section or two relating solely to some Latin ways of speaking in the civil law. He has sometimes inserted a short sentence, or added a note or two, to make some points clearer. He needs the reader's indulgence too, if, in following the original pretty closely, he sometimes makes sentences too long, or not so smooth and easy as our native tongue would require.

T O T H E

STUDENTS IN UNIVERSITIES.

THE celebrated division of philosophy among the ancients was into the rational or logical, the natural, and the moral. Their moral philosophy contained these parts, ethics taken more strictly, teaching the nature of virtue and regulating the internal dispositions; and the knowledge of the law of nature. This latter contained, 1. the doctrine of private rights, or the laws obtaining in natural liberty. 2. Oeconomics, or the laws and rights of the several members of a family; and 3. Politics, shewing the various plans of civil government, and the rights of states with respect to each other. The following books contain the elements of these several branches of moral philosophy; which if they are carefully studied may give the youth an easier access to the well known and admired works either of the ancients, Plato, Aristotle, Xenophon, Cicero; or of the moderns, Grotius, Cumberland, Puffendorf, Harrington and others, upon this branch of philosophy.

The learned will at once discern how much of this compend is taken from the writings of others, from Cicero and Aristotle; and to name no other moderns, from Puffendorf's smaller work, *de officio hominis et*

civis, which that worthy and ingenious man the late Professor Gershom Carmichael of Glasgow, by far the best commentator on that book, has so supplied and corrected that the notes are of much more value than the text. The reasons of my undertaking to compose anew a compend of this branch of philosophy, after so many such compends have been published by very learned men, were these; every teacher must use his own judgment on these subjects, use his own method, and that disposition of the several parts, and those arguments which seem to him of greatest force, best suited to the apprehensions of the students, and aptest to touch their hearts on such subjects. And as the method and order which pleased me most is pretty different from what has of late prevailed; if it can be of any advantage in education, it must be of use to the students to have in their hands an abridgement, containing the method and the principal heads of argument, to recall to their memories, the points more largely insisted upon in their lectures.

The design of Cicero's books de officiis, which are so very justly admired by all, has been mistaken inconsiderately by some very ingenious men, who speak of these books as intended for a complete system of morals or ethics. Whereas Cicero expressly declares, that the doctrine concerning virtue, and the supreme good, which is the principal part of ethics, is to be found elsewhere. Nay in his own books de finibus, and Tusculan questions, he had previously treated these subjects

more copiously*. And he tells us expressly, † that in his book *de officiis* he follows the Stoics, and uses their way of treating this subject. Now 'tis well known that the Stoics made such difference between virtue, which they counted the sole good, and the *officia*, or external duties of life, that they counted these duties among the things indifferent, neither morally good nor evil ‡ The design then of these books *de officiis* is this; to shew how persons in higher stations, already well instructed in the fundamentals of moral philosophy, should so conduct themselves in life, that in perfect consistence with virtue they may obtain great interest, power, popularity, high offices and glory.

In the second impression of this book some few additions seemed necessary and several amendments. The

* As we find from Cicero's first book *de finibus* that Brutus had wrote a book *de virtute* addressed to Cicero; this might be the reason why no book of Cicero's bears such a title; tho' 'tis manifest to any who read the books *de finibus* and the *Tusculan questions*, that the fundamental doctrine of morals is copiously delivered in them, and presupposed in the books *de officiis*, and passed over in a section or two.

† See Book I. ch. i. ii. and Book III. ch. iii.

‡ Nay he also declares l. iii. c. 3. that he writes only *de mediis officiis*, which might be performed both by the wise and the unwise; and yet in the latter they allowed no virtue. Besides, the ancients generally delivered all the *jurisprudentia naturalis*, and their doctrine about civil government in their *politica*, or books *de legibus*, of which there's little or nothing in the books *de officiis*; tho' these are parts of the moral philosophy of the antients.

author once intended to have made references all along to the more eminent writers, antient or modern, who treated the several subjects. But considering that this could be of no use except to those who have the cited books at hand, and that such could easily by their indexes find the corresponding places for themselves: he spared himself that disagreeable and unnecessary labour. All who have looked into such subjects know that the general doctrine and foundations of morals may be found in the antients abovementioned, and in Dr. Cumberland, and in Lord Shaftesbury: and that scarce any question of the law of nature and nations is not to be found in Grotius, Puffendorf, especially with Barbeyrac's copious notes, Harrington, Locke or Bynkershoek, to mention no more. Nay in Barbeyrac one finds the principal authors who have published large dissertations on particular heads. Such as want more full discussions of any such points, must have recourse to these authors.

These elementary books are for your use who study at universities, and not for the learned. When you have considered them well, go on to greater and more important works. Go to the grand fountain of all the sciences, of all elegance; the inventors and improvers of all ingenious arts, the Greek and Roman writers: and while you are drawing from them what knowledge you can, have recourse also to yet purer fountains, the holy Scriptures which alone give to sinful mortals any sure hopes of an happy immortality;

that you may adorn your souls with every virtue, prepare yourselves for every honourable office in life, and quench that manly and laudable thirst you should have after knowledge. Let not philosophy rest in speculation, let it be a medicine for the disorders of the soul, freeing the heart from anxious solitudes and turbulent desires; and dispelling its fears: let your manners, your tempers, and conduct be such as right reason requires. Look not upon this part of philosophy as matter of ostentation, or shew of knowledge, but as the most sacred law of life and conduct, which none can despise with impunity, or without impiety toward God: and whose precepts whoever seriously endeavours to obey, as far as he is capable, shews the truest worth and excellence, and the highest wisdom; and is truly the most prosperous as to his greatest interests in life.

Choose the best course of life, and custom will make it the most pleasant. *Pythagoras.*

Assume to yourself to live like a perfect man, or one who has made great proficiency in philosophy, and let it be an inviolable law, to act the part that appears most virtuous.

Epictetus.

Other animals are committed to the government of men, but God has committed men to the government of their own natural conscience. This governor we never should disobey; for it is offensive to God, and makes us enemies to the conscience within us. *Epictet. Fragm.*

Choose rather to correct your own passions, than to be corrected and punished on their account. *The same author.*

In this one thing delight and rest yourself, in going on constantly from one social action to another with remembrance of the Deity. *Marcus Antonin.*

In every design or attempt, whether great or small, we ought to invoke God. *Plato.*

Give joy to the immortal Gods and those that love you.

An unknown Poet in Antoninus,

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C H A P. I.

Of HUMAN NATURE and its PARTS.

I. **A**S all other arts have in view some good to be obtained, as their proper end, Moral Philosophy, which is the art of regulating the whole of life, must have in view the noblest end; since it undertakes, as far as human reason can go, to lead us into that course of life which is most according to the intention of nature, and most happy, to which end whatever we can obtain by other arts should be subservient. Moral Philosophy therefore must be one of these commanding arts which directs how far the other arts are to be pursued. And since all Philosophers, even of the most opposite schemes, agree in

words at least, that "Happiness either consists in virtue and virtuous offices, or is to be obtained and secured by them:" The chief points to be enquired into in Morals must be, what course of life is according to the intention of nature? wherein consists happiness? and what is virtue?

All such as believe that this universe, and human nature in particular, was formed by the wisdom and counsel of a Deity, must expect to find in our structure and frame some clear evidences, shewing the proper business of mankind, for what course of life, what offices we are furnished by the providence and wisdom of our Creator, and what are the proper means of happiness. We must therefore search accurately into the constitution of our nature, to see what sort of creatures we are; for what purposes nature has formed us; what character God our Creator requires us to maintain. Now the intention of nature with respect to us, is best known by examining what these things are which our natural senses or perceptive powers recommend to us, and what the most excellent among them? and next, what are the aims of our several natural desires, and which of them are of greatest importance to our happiness? In this inquiry we shall lightly pass over such natural powers as are treated of in other arts, dwelling chiefly upon those which are of consequence in regulating our morals.

In this art, as in all others, we must proceed from the subjects more easily known, to those that are more

obscure; and not follow the priority of nature, or the dignity of the subjects: and therefore don't deduce our first notions of duty from the Divine Will; but from the constitution of our nature, which is more immediately known; that from the full knowledge of it, we may discover the design, intention, and will of our Creator as to our conduct. Nor will we omit such obvious evidences of our duty as arise even from the considerations of our present secular interests; tho' it will perhaps hereafter appear, that all true virtue must have some nobler spring than any desires of worldly pleasures or interests.

II. FIRST then, Human nature consists of soul and body, each of which has its proper powers, parts, or faculties. The inquiry into the body is more easy, and belongs to the physicians. We only transiently observe, that it is plainly of a more noble * structure than that of other animals. It has not only organs of sense and all parts requisite either for the preservation of the individual or of the species, but also such as are requisite for that endless variety of action and motion, which a rational and inventive spirit may intend, and these organs formed with exquisite art. One cannot omit the dignity of its erect form, so plainly fitted for enlarged contemplation; the easy and swift motions of the joints; the curious structure of the hand, that great instrument of all ingenious arts; the

* See this explained by Dr. Cumberland, *De Legibus Naturæ*.

countenance so easily variable as to exhibit to us all the affections of the soul; and the organs of voice, so nicely fitted for speech in all its various kinds, and the pleasure of harmony. These points are more fully explained by Anatomists.

This curious frame of the human body we all see to be fading and perishing; needing daily new recruits by food, and constant defence against innumerable dangers from without, by cloathing, shelter, and other conveniences. The charge of it therefore is committed to a soul endued with forethought and sagacity, which is the other, and by far the nobler part in our constitution.

III. THE parts or powers of the soul, which present us with a more glorious view, are of various kinds: † but they are all reducible to two classes, the *Understanding* and the *Will*. The former contains all the powers which aim at knowledge; the other all our desires pursuing happiness and eschewing misery.

We shall but briefly mention the several operations of the understanding, because they are sufficiently treated of in Logicks and Metaphysics. The first in order are the *senses*: under which name we include every “constitution or power of the soul, by which
“certain feelings, ideas or perceptions are raised upon

† Concerning human nature, beside *Aristotle's* moral writings, *Nemesius de homine*, *Locke*, and *Malebranch*; many excellent observations are made in *Cicero's* 5th book *De finibus*, *Arrian*, and *Lord Shaftesbury's Inquiry*, and *Rhapsody*.

“certain objects presented.” Senses are either *external*, or *internal* and mental. The external depend on certain organs of the body, so constituted that upon any impression made on them, or motion excited, whether by external impulses or internal forces in the body, a certain feeling or notion is raised in the soul. The feelings are generally either agreeable, or at least not uneasy, which ensue upon such impressions and changes as are useful or not hurtful to the body: but uneasy feelings ensue upon those which are destructive or hurtful.

Tho’ bodily pleasure and pain affect the soul pretty vehemently, yet we see they are of short duration and fleeting; and seldom is the bare remembrance of past bodily pleasures agreeable, or the remembrance of past pain in itself uneasy, when we apprehend no returns of them.

By these senses we acquire the first notions of *good* and *evil*. Such things as excite grateful sensations of this kind, we call *good*; what excites painful or uneasy sensations, we call *evil*. Other objects also when perceived by some other kinds of senses, exciting also agreeable feelings, we likewise call good, and their contraries evil. *Happiness* in general, is “a state wherein there is plenty of such things as excite these grateful sensations of one kind or other, and we are free from pain.” *Misery* consists in “frequent and lasting sensations of the painful and disagreeable sorts, excluding all grateful sensations.”

There are also certain perceptions dependent on bodily organs, which are of a middle nature as to pleasure or pain, having a very small degree of either joined immediately with them: these are the perceptions by which we discern the primary qualities of external objects and any changes befalling them, their magnitude, figure, situation, motion or rest: all which are discerned chiefly by *sight* or *touch*, and give us neither pleasure nor pain of themselves; tho' they frequently intimate to us such events as occasion desires or aversions, joys or sorrows.

Bodily pleasures and pains, such as we have in common with the brutes, are of some importance to our happiness or misery. The other class of perceptions, which inform us of the qualities and states of things external to us, are of the highest use in all external action, in the acquiring of knowledge, in learning and practising the various arts of life.

Both these kinds of external perceptions may be called *direct* and *antecedent*, because they presuppose no previous ideas. But there's another class of perceptions employed about the objects of even the external senses, which for distinction we call *reflex* or *subsequent*, because they naturally ensue upon other ideas previously received: of these presently. So much for external sensation.

IV. INTERNAL senses are those powers or determinations of the mind, by which it perceives or is conscious of all within itself, its actions, passions, judg-

ments, wills, desires, joys, sorrows, purposes of action. This power some celebrated writers call *conscience* or *reflection*, which has for its objects the qualities, actions or states of the mind itself, as the external senses have things external. These two classes of sensation, external and internal, furnish our whole store of ideas, the materials about which we exercise that noblest power of *reasoning* peculiar to the human species. This also deserves a fuller explanation, but it belongs to Logick.

'Tis by this power of reason, that the soul perceives the relations and connexions of things, and their consequences and causes; infers what is to ensue, or what preceded; can discern resemblances, consider in one view the present and the future, propose to itself a whole plan of life, and provide all things requisite for it.

By the exercise of reason it will easily appear, that this whole universe was at first framed by the contrivance and counsel of a most perfect intelligence, and is continually governed by the same; that it is to him mankind owe their preeminence above other animals in the power of reason, and in all these excellencies of mind or body, which clearly intimate to us the will of our munificent Creator and Preserver; and shew us what sort of offices, what course of life he requires of us as acceptable in his sight.

V. SINCE then every sort of good which is immediately of importance to happiness, must be per-

ceived by some immediate power or sense, antecedent to any opinions or reasoning: (for 'tis the business of reasoning to compare the several sorts of good perceived by the several senses, and to find out the proper means for obtaining them:) we must therefore carefully inquire into the several sublimer perceptive powers or senses; since 'tis by them we discover what state or course of life best answers the intention of God and nature, and wherein true happiness consists. But we must premise some brief consideration of the *Will*, because the motions of the will, our affections, desires and purposes, are the objects of these more subtle senses, which perceive various qualities and important differences among them.

As soon as the mind has got any notion of good or evil by grateful or uneasy sensations of any kind, there naturally arise certain motions of the *Will*, distinct from all sensation; to wit, *Desires* of good, and *Aversions* to evil. For there constantly appears, in every rational being, a stable essential propensity to desire its own happiness, and whatever seems to tend to it, and to avoid the contraries which would make it miserable. And altho' there are few who have seriously inquired what things are of greatest importance to happiness; yet all men naturally desire whatever appears to be of any consequence to this end, and shun the contrary: when several grateful objects occur, all which it cannot pursue together, the mind while it is calm, and under no impulse of any blind appetite

or passion, pursues that one which seems of most importance. But if there should appear in any object a mixture of good and evil, the soul will pursue or avoid it, according as the good or the evil appears superior.

Beside these two calm primary motions of the Will, *desire* and *aversion*, there are other two commonly ascribed to it, to wit, *Joy* and *Sorrow*. But these two are rather to be called new states, or finer feelings or senses of the soul, than motions of the will naturally exciting to action. In this manner however we make up these four species mentioned by the antients, all referred to the *Will*, or *rational appetite*: when good to be obtained is in view, there arises *Desire*; when evil to be repelled, *Aversion*: when good is obtained or evil avoided, arises *Joy*; when good is lost, or evil befallen us, *Sorrow*.

VI. BUT beside the calm motions or affections of the soul and the stable desire of happiness, which employ our reason for their conductor, there are also others of a very different nature; certain vehement turbulent Impulses, which upon certain occurrences naturally agitate the soul, and hurry it on with a blind inconsiderate force to certain actions, pursuits, or efforts to avoid, exerted about such things as we have never deliberately determined to be of consequence to happiness or misery. Any one may understand what we mean by these blind impetuous motions who reflects on what he has felt, what violent propensities hurried him on, when he was influenced by any of the keener

passions of lust, ambition, anger, hatred, envy, love, pity, or fear; without any previous deliberate opinion about the tendency of these objects or occurrences, which raised these several passions, to his happiness or misery. These passions are so far from springing from the previous calm desire of happiness, that we find them often opposing it, and drawing the soul contrary ways.

These several passions the antients reduce to two classes, to wit, the *passionate Desires*, and the correspondent *Aversions*; both which they teach to be quite distinct from the Will; the former aiming at the obtaining some pleasure or other, and the latter the warding off something uneasy. Both are by the schoolmen said to reside in the *sensitive appetite*; which they subdivide into the † *concupiscible* and *irascible*; and their impulses they call *Passions*. The *sensitive appetite* is not a very proper name for these determinations of the soul, unless the schoolmen would use the word *senses* in a more extensive signification, so as to include many perceptive powers of an higher sort than the bodily senses. For 'tis plain that many of the most turbulent passions arise upon certain occurrences which affect none of the external senses; such as ambition, congratulation, malicious joy, the keen passions toward glory and power, and many others, with the turbulent aversions to their contraries. The

† ἐπιθυμία ἔ θυμός.

schoolmen however refer to this *sensitive appetite* all the vehement inconsiderate motions of the will, which are attended with confused uneasy sensations, whatever their occasions be.

Of these passions there are four general classes: such as pursue some apparent good are called *passionate Desires* or *Cupidity*; such as tend to ward off evil are called *Fears*, or *Anger*: such as arise upon obtaining what was desired or the escaping evil, are turbulent *Jays*; and what arise upon the loss of good, or the befalling of evil, *Sorrows*. [nor have we in our language words appropriated so as to distinguish between the several calm and passionate motions of the will.] Of each class there are many subdivisions according to the variety of objects about which they are employed, which will be further explained hereafter.

VII. THERE'S also another division of the motions of the will whether calm or passionate, according as the advantage or pleasure in view is for ourselves or others. That there is among men some disinterested goodness, without any views to interests of their own, but pursuing ultimately the interests of persons beloved, must be evident to such as examine well their own hearts, the motions of friendship or natural affection; and the love and zeal we have for worthy and eminent characters: or to such as observe accurately the cares, the earnest desires, of persons on their deathbeds, and their friendly offices to such as they love even with their last breath: or, in the more heroic

characters, their great actions and designs, and their marching willingly and deliberately to certain death for their children, their friends, or their country.

The disinterested affections are either calm, or turbulent and passionate, even as the selfish in which one pursues what seems advantageous or pleasant to himself. And the several affections or passions, whether more simple or complicated, have a variety of names as their objects are various, as they regard one's self, or regard others, and their characters, fortunes, endearments, and the several social bonds with us or with each other; or the enmities or dissensions by which they are set at variance; or as their former conduct or designs have occasioned these events which excite our passions.

These particular kind passions are quite different from any calm general good-will to mankind, nor do they at all arise from it. They naturally arise, without premeditation or previous volition, as soon as that species or occasion occurs which is by nature adapted to raise them. We shall have a more proper place to explain them a little further after we have mentioned the more sublime perceptive powers; without the knowledge of which many motions of the will must remain unknown.

What any sense immediately relishes is desired for itself ultimately; and happiness must consist in the possession of all such objects, or of the most important and excellent ones. But when by the use of our

reason we find that many things which of themselves give no pleasure to any sense, yet are the necessary means of obtaining what is immediately pleasant and desirable, all such *proper means* shall also be desired, on account of their *ends*. Of this class are, an extensive influence in society, riches, and power.

But as beside the several particular passions of the selfish kind there is deeply rooted in the soul a steady propensity or impulse toward its own highest happiness, which every one upon a little reflection will find, by means whereof he can repress and govern all the particular selfish passions, when they are any way opposite to it; so whosoever in a calm hour takes a full view of human nature, considering the constitutions, tempers, and characters of others, will find a like general propension of soul to wish the universal prosperity and happiness of the whole system. And whosoever by frequent impartial meditation cultivates this extensive affection, which the inward sense of his soul constantly approves in the highest degree, may make it so strong that it will be able to restrain and govern all other affections, whether they regard his own happiness or that of any smaller system or party.

VIII. HAVING given this summary view of the Will, we next consider these senses we called *reflex* or subsequent, by which certain new forms or perceptions are received, in consequence of others previously observed by our external or internal senses; and some of them ensuing upon observing the fortunes

of others, or the events discovered by our reason, or the testimony of others. We shall only transiently mention such of them as are not of much importance in morals, that we may more fully explain those which are more necessary.

The external senses of Sight and Hearing we have in common with the Brutes: but there's superadded to the human Eye and Ear a wonderful and ingenious Relish or Sense, by which we receive subtiler pleasures; in material forms *gracefulness, beauty and proportion*; in sounds *concord and harmony*; and we are highly delighted with observing exact *imitation* in the works of the more ingenious arts, Painting, Statuary and Sculpture, and in motion and action; all which afford us far more manly pleasures than the external senses. These are the pleasures to which many arts both mechanic and liberal are subservient; and men pursue them even in all that furniture, those utensils, which are otherways requisite for the conveniency of life. And the very *grandeur* and *novelty* of objects excite some grateful perceptions not unlike the former, which are naturally connected with and subservient to our desires of knowledge. Whatever is grateful to any of these perceptive powers is for itself desirable, and may on some occasions be to us an ultimate end. For, by the wise contrivance of God, our senses and appetites are so constituted for our happiness, that what they immediately make grateful is ge-

generally on other accounts also useful, either to ourselves or to mankind.

Among these more humane pleasures, we must not omit that enjoyment most peculiarly suited to human nature, which arises from the discovery of Truth, and the enlarging of our knowledge; which is ultimately desirable to all; and is joyful and pleasant in proportion to the dignity of the subject, and the evidence or certainty of the discovery.

IX. THERE are other still more noble senses and more useful: such is that *sympathy* or fellow-feeling, by which the state and fortunes of others affect us exceedingly, so that by the very power of nature, previous to any reasoning or meditation, we rejoice in the prosperity of others, and sorrow with them in their misfortunes; as we are disposed to mirth when we see others chearful, and to weep with those that weep, without any consideration of our own interests. Hence it is that scarce any man can think himself sufficiently happy tho' he has the fullest supplies of all things requisite for his own use or pleasure: he must also have some tolerable stores for such as are dear to him; since their misery or distresses will necessarily disturb his own happiness.

By means of this sympathy and of some disinterested affections, it happens, as by a sort of contagion or infection, that all our pleasures, even these of the lowest kind, are strangely increased by their being shared with others. There's scarce any chearful or

joyful commotion of mind which does not naturally require to be diffused and communicated. Whatever is agreeable, pleasant, witty, or jocular naturally burns forth, and breaks out among others, and must be imparted. Nor on the other hand is there any thing more uneasy or grievous to a man than to behold the distressing toils, pains, griefs, or misery of others, especially of such as have deserved a better fate.

X. But further: That man was destined by nature for action plainly appears by that multitude of active instincts and desires natural to him; which is further confirmed by that deeply implanted sense approving or condemning certain actions. The soul naturally desires action; nor would one upon any terms consent to be cast into a perpetual state of sleep, tho' he were assured of the sweetest dreams. If a sleep like that of † Endymion were to befall ourselves or any person dear to us, we would look upon it as little better than death. Nature hath therefore constituted a certain *sense* or natural *taste*, to attend and regulate each active power, approving that exercise of it which is most agreeable to nature and conducive to the general interest. The very brute animals, tho' they have none of these reflex senses we mentioned, yet by certain instincts, even previously to any experience or prospect of pleasure, are led, each according to its kind, to its natural actions, and finds in them its

† Who in the old fable continued to live, but never awoke out of a sleep he was cast into by Diana.

chief satisfactions. Human nature is full of like instincts; but being endued with reason and the power of reflecting on their own sentiments and conduct, they have also various reflex senses with a nice discernment and relish of many things which could not be observed by the grosser senses, especially of the exercise of their natural powers. By these senses that application of our natural powers is immediately approved which is most according to the intention of nature, and which is most beneficial either to the individual or to mankind; and all like application by others is in like manner approved, and thus made matter of joy and glorying. In the very posture and motion of the body, there is something which immediately pleases, whether in our own, or that of others: in the voice and gesture, and the various abilities of body or mind, in the ingenious arts of imitation, in external actions and exercises, whether about serious business or recreations, we discern something graceful and manly, and the contrary ungraceful and mean, even without any appearance of moral virtue in the one, or vice in the other. But still it is chiefly in these abilities and exercises which are peculiar to mankind that grace and dignity appear; such as we have in common with beasts appear of less dignity. And among the human pursuits which yet are different from moral virtues, the pursuits of knowledge are the most venerable. We are all naturally inquisitive and vehemently allured by the discovery of truth. Superior knowledge we count

very honourable; but to mistake, to err, to be ignorant, to be imposed upon, we count evil and shameful.

But to regulate the highest powers of our nature, our affections and deliberate designs of action in important affairs, there's implanted by nature the noblest and most divine of all our senses, that *Conscience* by which we discern what is graceful, becoming, beautiful and honourable in the affections of the soul, in our conduct of life, our words and actions. By this sense, a certain turn of mind or temper, a certain course of action, and plan of life is plainly recommended to us by nature; and the mind finds the most joyful feelings in performing and reflecting upon such offices as this sense recommends; but is uneasy and ashamed in reflecting upon a contrary course. Upon observing the like honourable actions or designs in others, we naturally favour and praise them; and have an high esteem, and goodwill, and endearment toward all in whom we discern such excellent dispositions: and condemn and detest those who take a contrary course. What is approved by this sense we count *right* and *beautiful*, and call it *virtue*; what is condemned, we count *base* and *deformed* and *vicious*.

The forms which move our approbation are, all kind affections and purposes of action; or such propensions, abilities, or habits of mind as naturally flow from a kind temper, or are connected with it; or shew an higher taste for the more refined enjoyments, with a low regard to the meaner pleasures, or to its own

interests; or lastly such dispositions as plainly exclude a narrow contracted selfishness aiming solely at its own interests or sordid pleasures. The forms disapproved are either this immoderate selfishness; or a peevish, angry, envious or ill-natured temper, leading us naturally to hurt others; or a mean selfish sensuality.

That this sense is implanted by nature, is evident from this that in all ages and nations certain tempers and actions are universally approved and their contraries condemned, even by such as have in view no interest of their own. Many artful accounts of all this as flowing from views of interest have been given by ingenious men; but whosoever will examine these accounts, will find that they rather afford arguments to the contrary, and lead us at last to an immediate natural principle prior to all such views. The agent himself perhaps may be moved by a view of advantages of any sort accruing only to himself, to approve his own artful conduct; but such advantages won't engage the approbation of others: and advantages accruing to others, would never engage the agent, without a moral sense, to approve such actions. How much soever the agent may be moved by any views of his own interest; yet this when 'tis known plainly diminishes the beauty of the action, and sometimes quite destroys it. Men approve chiefly that beneficence which they deem gratuitous and disinterested; what is pretended, and yet only from views of private interest, they abhor. When the agent appears to have

in view the more obvious interests of getting glory, popularity, or gainful returns, there appears little or nothing honourable. 'Tis well known that such advantages are attainable by external actions, and hypocritical shews, without any real inward goodness.

But further, does not every good action appear the more honourable and laudable the more toilsome, dangerous or expensive it was to the undertaker? 'Tis plain therefore that a virtuous course is not approved under that notion of its being *profitable to the agent*. Nor is it approved under the notion of *profitable to those who approve it*, for we all equally praise and admire any glorious actions of antient heroes from which we derive no advantage, as the like done in our own times. We approve even the virtues of an enemy that are dreaded by us, and yet condemn the useful services of a traitor, whom for our own interest we have bribed into perfidy. Nay the very dissolute frequently dislike the vices of others which are subservient to their own.

Nor can it be alleged that the notion under which we approve actions is their tendency to obtain applause or rewards: for this consideration could recommend them only to the agent. And then, whoever expects praise must imagine that there is something in certain actions or affections, which in its own nature appears laudable or excellent both to himself and others: whoever expects rewards or returns of good offices, must acknowledge that goodness and be-

nescience naturally excite the love of others. None can hope for rewards from God without owning that some actions are acceptable to God in their own nature; nor dread divine punishments except upon a supposition of a natural *demerit* in evil actions. When we praise the Divine Laws as holy, just and good, 'tis plainly on this account, that we believe they require what is antecedently conceived as morally good, and prohibit the contrary, otherwise these epithets would import nothing laudable.

That this sense is implanted by nature, and that thus affections and actions of themselves, and in their own nature, must appear to us right, honourable, beautiful and laudable, may appear from many of the most natural affections of the Will, both calm and passionate, which are naturally raised without any views of our own advantage, upon observing the conduct and characters and fortunes of others; and thus plainly evidence what temper nature requires in us. Of these we shall speak presently. This moral sense diffuses itself through all conditions of life, and every part of it; and insinuates itself into all the more humane amusements and entertainments of mankind. Poetry and Rhetoric depend almost entirely upon it; as do in a great measure the arts of the Painter, Statuary, and Player. In the choice of friends, wives, comrades, it is all in all; and it even insinuates itself into our games and mirth. Whosoever weighs all these things fully will agree with Aristotle "That as the

“ horse is naturally fitted for swiftness, the hound for
“ the chace, and the ox for the plough, so man, like
“ a sort of mortal deity, is fitted by nature for know-
“ ledge, and action.”

Nor need we apprehend, that according to this scheme which derives all our moral notions from a sense, implanted however in the soul and not dependent on the body, the dignity of virtue should be impaired. For the constitution of nature is ever stable and harmonious: nor need we fear that any change in our constitution should also change the nature of virtue, more than we should dread the dissolution of the universe by a change of the great principle of Gravitation. Nor will it follow from this scheme, that all sorts of affections and actions were originally indifferent to the Deity, so that he could as well have made us approve the very contrary of what we now approve, by giving us senses of a contrary nature. For if God was originally omniscient, he must have foreseen, that by his implanting kind affections, in an active species capable of profiting or hurting each other, he would consult the general good of all; and that implanting contrary affections would necessarily have the contrary effect: in like manner by implanting a sense which approved all kindness and beneficence, he foresaw that all these actions would be made immediately agreeable to the agent, which also on other accounts were profitable to the system; whereas a contrary sense (whether possible or not we shall not

determine,) would have made such conduct immediately pleasing, as must in other respects be hurtful both to the agent and the system. If God therefore was originally wise and good, he must necessarily have preferred the present constitution of our sense approving all kindness and beneficence, to any contrary one; and the nature of virtue is thus as immutable as the divine Wisdom and Goodness. Cast the consideration of these perfections of God out of this question, and indeed nothing would remain certain or immutable.

XI. There are however very different degrees of approbation and condemnation, some species of virtues much more beautiful than others, and some kinds of vices much more deformed. These maxims generally hold. "Among the kind motions of the Will of equal extent, the calm and stable are more beautiful than the turbulent or passionate." And when we compare calm affections among themselves, or the passionate among themselves, "the more extensive are the more amiable, and these most excellent which are most extensive, and pursue the greatest happiness of the whole system of sensitive nature."

It was already observed that our esteem of virtue in another, causes a warmer affection of good-will toward him: now as the soul can reflect on all its powers, dispositions, affections, desires, senses, and make them the objects of its contemplation; a very high relish for moral excellence, a strong desire of it, and a strong endearment of heart toward all in whom we

discern eminent virtues, must itself be approved as a most virtuous disposition; nor is there any more lovely than the highest love towards the highest moral excellency. Since then God must appear to us as the Supreme Excellence, and the inexhaustible fountain of all good, to whom mankind are indebted for innumerable benefits most gratuitously bestowed; no affection of soul can be more approved than the most ardent love and veneration toward the Deity, with a steady purpose to obey him, since we can make no other returns, along with an humble submission and resignation of ourselves and all our interests to his will, with confidence in his goodness; and a constant purpose of imitating him as far as our weak nature is capable.

The objects of our condemnation are in like manner of different degrees. Ill-natured unkind affections and purposes are the more condemned the more stable and deliberate they are. Such as flow from any sudden passionate desire are less odious; and still more excusable are those which flow from some sudden fear or provocation. What we chiefly disapprove is that sordid selfishness which so engrosses the man as to exclude all human sentiments of kindness, and surmounts all kind affections; and disposes to any sort of injuries for one's own interests.

We justly also reckon impiety toward God to be the greatest depravation of mind, and most unworthy of a rational Being, whether it appears in a direct contempt of the Deity; or in an entire neglect of him,

so that one has no thoughts about him, no veneration, no gratitude toward him. Nor is it of any avail either to abate the moral Excellence of Piety, or the deformity of impiety, to suggest that the one cannot profit him, nor the other hurt him. For what our conscience or moral sense chiefly regards are the affections of the heart, and not the external effects of them. That man must be deemed corrupt and detestable who has not a grateful heart toward his benefactor, even when he can make no returns: who does not love, praise, and celebrate the virtues of even good men, tho' perhaps he has it not in his power to serve or promote them. Where there is a good heart, it naturally discovers itself in such affections and expressions, whether one can profit those he esteems and loves or not. These points are manifest to the inward sense of every good man without any reasoning.

XII. THIS nobler sense which nature has designed to be the guide of life deserves the most careful consideration, since it is plainly the judge of the whole of life, of all the various powers, affections and designs, and naturally assumes a jurisdiction over them; pronouncing that most important sentence, that in the virtues themselves, and in a careful study of what is beautiful and honourable in manners, consists our true dignity, and natural excellence, and supreme happiness. Those who cultivate and improve this sense find that it can strengthen them to bear the greatest external evils, and voluntarily to forfeit external advan-

tages, in adhering to their duty toward their friends, their country, or the general interest of all: and that in so doing alone it is that they can thoroughly approve themselves and their conduct. It likewise punishes with severe remorse and secret lashes such as disobey this natural government constituted in the soul, or omit through any fear, or any prospect of secular advantages, the duties which it requires

That this Divine Sense or Conscience naturally approving these more extensive affections should be the governing power in man, appears both immediately from its own nature, as we immediately feel that it naturally assumes a right of judging, approving or condemning all the various motions of the soul; as also from this that every good man applauds himself, approves entirely his own temper, and is then best pleased with himself when he restrains not only the lower sensual appetites, but even the more sublime ones of a selfish kind, or the more narrow and contracted affections of love toward kindred, or friends, or even his country, when they interfere with the more extensive interests of mankind, and the common prosperity of all. Our inward conscience of right and wrong not only prefers the most diffusive goodness to all other affections of soul, whether of a selfish kind, or of narrower endearment: but also abundantly compensates all losses incurred, all pleasures sacrificed, or expences sustained on account of virtue, by a more joyful consciousness of our real goodness, and merited glory

since all these losses sustained increase the moral dignity and beauty of virtuous offices, and recommend them the more to our inward sense: † which is a circumstance peculiar to this case, nor is the like found in any other sense, when it conquers another of less power than its own. And further, whoever acts otherways cannot thoroughly approve himself if he examines well the inward sense of his soul: when we judge of the characters and conduct of others, we find the same sentiments of them: nay, this subordination of all to the most extensive interests is what we demand from them; nor do we ever fail in this case to condemn any contrary conduct; as in our judgments about others we are under no byass from our private passions and

† What the Author here intends is obvious, and of such importance as deserves a fuller explication. In a voluptuous life the more a man has impaired his health, his fortune, his character, or the more he has obstructed his progress in knowledge, or in the more elegant pleasures, the more also he must condemn and be dissatisfied with his own temper and conduct, and so must every observer. In the pursuits of honours and power, or the splendor of life; the more one has impaired his fortune or health, and the more of his natural pleasures and enjoyments he has sacrificed to these purposes, the more he must be dissatisfied with his own measures, and be disapproved by others. But in following the dictates of conscience, in adhering to his duty and the practice of virtue, the greater sacrifice he has made of all other enjoyments, the more he himself and all others approve his conduct and temper, and he answers the more compleatly the wishes and expectations of all who love and esteem him.

interests. And therefore altho' every event, disposition, or action incident to men may in a certain sense be called *natural*; yet such conduct alone as is approved by this diviner faculty, which is plainly destined to command the rest, can be properly called *agreeable* or *suited to our nature*.

XIII. WITH this moral sense is naturally connected that other of Honour and Shame, which makes the approbations, the gratitude, and esteem of others who approve our conduct, matter of high pleasure; and their censures, and condemnation, and infamy, matter of severe uneasiness; even altho' we should have no hopes of any other advantages from their approbations, or fears of evil from their dislike. For by this sense these things are made good or evil immediately and in themselves: and hence it is that we see many solicitous about a surviving fame, without any notion that after death they shall have any sense of it, or advantage by it. Nor can it be said † that we delight in the praises of others only as they are a testimony to our virtue and confirm the good opinion we may have of ourselves: for we find that the very best of mankind, who are abundantly conscious of their own virtues, and need no such confirmation, yet have pleasure in the praises they obtain.

That there's a natural sense of honour and fame, founded indeed upon our moral sense, or presupposing

† This is suggested by Aristotle *Ethic. ad Nicom.* L. i. c. 5.

it, but distinct from it and all other senses, seems manifest from that natural modesty, which discovers itself by the very countenance in blushing; which nature has plainly designed as a guardian not only to moral virtue, but to all decency in our whole deportment, and a watchful check upon all the motions of the lower appetites. And hence it is that this sense is of such importance in life, by frequently exciting men to what is honourable, and restraining them from every thing dishonourable, base, flagitious, or injurious.

In these two senses, of moral good and evil, and of honour and shame, mankind are more uniformly constituted than in the other senses; which will be manifest if the same immediate forms or species of actions be proposed to their judgment; that is, if they are considering the same affections of heart whether to be approved or condemned, they would universally agree. If indeed they have contrary opinions of happiness, or of the external means of promoting or preserving it, 'tis then no wonder, however uniform their moral senses be, that one should approve what another condemns. Or if they have contrary opinions about the Divine Laws, some believing that God requires what others think he forbids, or has left indifferent; while all agree that it is our duty to obey God: or lastly, if they entertain contrary opinions about the characters of men or parties; some believing that sect or party to be honest, pious and good, which others take to be savage or wicked. On these accounts they

may have the most opposite approbations and condemnations, tho' the moral sense of them all were uniform, approving the same immediate object, to wit, the same tempers and affections.

XIV. WHEN by means of these senses, some objects must appear beautiful, graceful, honourable, or venerable, and others mean and shameful; should it happen that in any object there appeared a mixture of these opposite forms or qualities, there would appear also another sense, of the *ridiculous*. And whereas there's a general presumption of some dignity, prudence and wisdom in the human species; such conduct of theirs will raise laughter as shews "some mean error or mistake, which yet is not attended with grievous pain or destruction to the person:" for all such events would rather move pity. Laughter is a grateful commotion of the mind; but to be the object of laughter or mockery is universally disagreeable, and what men from their natural desire of esteem carefully avoid.

Hence arises the importance of this sense or disposition, in refining the manners of mankind, and correcting their faults. Things too of a quite different nature from any human action may occasion laughter, by exhibiting at once some venerable appearance, along with something mean and despicable. From this sense there arise agreeable and sometimes useful entertainments, grateful seasoning to conversation, and innocent amusements amidst the graver business of life.

XV. THESE various senses men are endued with constitute a great variety of things good or evil; all which may be reduced to these three classes, the goods of the soul, the goods of the body, and the goods of fortune or external ones. The goods of the soul are ingenuity and acuteness, a tenacious memory, the sciences and arts, prudence, and all the *voluntary virtues*, or good dispositions of Will. The goods of the body are, perfect organs of sense, strength, sound health, swiftness, agility, beauty. External goods are liberty, honours, power, wealth. Now as all objects grateful to any sense excite desire, and their contraries raise aversion; the affections of the will, whether calm or passionate, must be equally various. We already mentioned the four general classes to which they may be reduced, to wit, *desire, aversion, joy and sorrow*: nor have we names settled to distinguish always the calm from the passionate, as there are in some other languages. But of each of these four there are many subdivisions, and very different kinds, according to the very different objects they have in view, and according as they are selfish or disinterested, respecting our own fortunes or those of others. And then among those which respect the fortunes of others there are great diversities, according to the different characters of the persons, their fortunes, and different attachments, friendships or enmities, and their various causes.

To pursue all these distinctions, and examine the

several divisions made by the learned, would be tedious. We shall briefly mention the principal Passions, the names of which are also often used for the calm steady affections of the will; [nay the same name is often given to desires and joys, to aversions and sorrows.]

1. The several species of *desire* of the selfish kind respecting one's own body or fortune, are the natural appetites of food, whether plainer or more exquisite, lust, ambition, the desires of praise, of high offices, of wealth. Their contraries are repelled by the *aversions* of *fear* and *anger*, and these of various kinds.

The goods of the soul we pursue in our desires of knowledge, and of virtue, and in emulation of worthy characters. Their contraries we avoid by the *aversions* of shame and modesty; we are on this subject often at a loss for appropriated names.

2. The disinterested *desires* respecting any sort of prosperity to others, are benevolence or good-will, parental affections, and those toward kinsmen. The affections of *desire* toward worthy characters, are favour or good wishes, zealous veneration, gratitude. The *aversions* raised by their misfortunes, are fear, anger, compassion, indignation. The prosperity of bad characters moves the *aversions* of envy and indignation.

3. The several species of *Joy* respecting one's own prosperous fortunes, are delectation, pride, arrogance, ostentation. And yet a long possession of any advantages of the body or fortune often produces satiety and

disgust. From the contrary evils arise sorrow, vexation, despair. *Anger* indeed by the Ancients is always made a species of *desire*, to wit, that of punishing such as we apprehend have been injurious.

From our possessing the goods of the soul, especially virtuous affections, arise the internal *joyful* applauses of conscience, an honourable pride and glorying. From the contrary evils arise shame, remorse, dejection, and brokenness of spirit, which are species of *sorrow*.

4. The virtues of others observed raise *joyful* love, and esteem, and veneration, and where there's intimacy, the affections of friendship. The vices of others move a sort of *sorrowful* hatred, contempt or detestation. The prosperity of the virtuous, or of our benefactors, raises a *joyful* congratulation; their adversities raise grief, pity, and indignation. The adversities of the vicious often raise joy and triumph, and their prosperity grief and indignation.

Whoever is curious to see large catalogues of the several motions of the Will may find them in *Aristotle's Ethicks*, *Cicero's 4th Tuscul.* and *Andronicus*. But from what is above mentioned 'tis manifest that there's some natural sense of right and wrong, something in the temper and affections we naturally approve for itself, and count honourable and good; since 'tis from some such moral species or forms that many of the most natural passions arise; and opposite moral characters upon like external events raise the most oppo-

site affections, without any regard to the private interests of the observer.

XVI. SOME of these affections are so rooted in nature that no body is found without them. The appetites toward the preservation of the body are excited in every stage of life by the uneasy sensations of hunger, and thirst, and cold. The desire of offspring at a certain age, and parental affection is also universal; and in consequence of them the like affections toward kinsmen. The other affections when the objects are presented are equally natural, tho' not so necessary. The appearance of virtue in another raises love, esteem, friendship: Honourable designs are followed with favour, kind wishes, and zeal: their successes move joyful congratulation, and their disappointment sorrow and indignation; and the contrary affections attend the prosperity of the vicious, even tho' we apprehend no advantage or danger to ourselves on either side. Benefits received with a like natural force raise gratitude; and injuries, resentment and anger; and the sufferings of the innocent, pity. We also justly count natural the desires of knowledge, of the several virtues, of health, strength, beauty, pleasure, and of all such things as are grateful to any sense.

XVII. THERE are some other parts of our constitution not to be omitted, which equally relate to the understanding and will. Such as that natural disposition to *associate* or conjoin any ideas, or any affections, however disparate or unlike, which, at once

have made strong impressions on our mind; so that whensoever any occasion excites one of them, the others will also constantly attend it, and that instantly, previous to any desire. To this association is owing almost wholly our power of memory, or recalling of past events, and even the faculty of speech. But from such associations incautiously made we sometimes are hurt in our tempers. The meaner pleasures of sense, and the objects of our lower appetites, acquire great strength this way, when we conjoin with them some far nobler notions, tho' not naturally or necessarily allied to them, so that they cannot easily be separated. Hence by some notions of elegance, ingenuity, or finer taste, of prudence, liberality and beneficence, the luxurious ways of living obtain a much greater reputation, and seem of much more importance to happiness than they really are. Hence 'tis of high consequence in what manner the young are educated, what persons they are intimate with, and what sort of conversation they are inured to; since by all these, strong associations of ideas are formed, and the tempers often either amended or depraved.

Of a like nature to these are *Habits*, for such is the nature both of the soul and body that all our powers are increased and perfected by exercise. The long or frequent enjoyment of pleasures indeed abates the keenness of our sense; and in like manner custom abates the feelings of pain. But the want of such gratifications or pleasures as we have long been inur

ed to is more uneasy, and our regret the keener. And hence men are more prone to any pleasures or agreeable courses of action they are accustomed to, and cannot so easily be restrained from them.

We have already shewed that whatever is ultimately desirable must be the object of some immediate sense. But as men are naturally endued with some acuteness, forethought, memory, reason, and wisdom, they shall also naturally desire whatever appears as the proper *means* of obtaining what is immediately desirable; such means are riches and power, which may be subservient to all our desires whether virtuous or vitious, benevolent or malicious; and hence it is that they are so universally desired.

To finish this structure of Human Nature, indued with such powers of reason, such sublime perceptive powers, such social bonds of affection, God has also superadded the powers of speech and eloquence, by which we are capable of obtaining information of what we were ignorant of, and of communicating to others what we know: by this power we exhort, by this we persuade, by this we comfort the afflicted, and inspire courage into the fearful; by this we restrain immoderate foolish transports, by this we repress the dissolute desires and passionate resentments; this power has conjoined us in the bonds of justice and law and civil polity, this power has reclaimed mankind from a wild and savage life.

Altho' all these several powers and faculties we have mentioned are so common to all mankind, that there are scarce any entirely deprived of any one of them; yet there is a wonderful variety of tempers; since in different persons different powers and dispositions so prevail that they determine the whole course of their lives. In many the sensual appetites prevail; in others there's an high sense of the more humane and elegant pleasures; in some the keen pursuits of knowledge, in others either ambition or anxious avarice: in others the kind affections, and compassion toward the distressed, and beneficence, with their constant attendants and supporters, an high sense of moral excellence and love of virtue: others are more prone to anger, envy, and the ill-natured affections. In the present state of mankind, which we plainly see is depraved and corrupt, sensuality and mean selfish pursuits are the most universal: and those enjoyments which the higher powers recommend, the generality are but little acquainted with, or are little employed in examining or pursuing them.

This diversity of tempers, sometimes observable from the cradle, is strangely increased by different customs, methods of education, instruction, habits, and contrary examples; not to speak of the different bodily constitutions, which belong to the art of Medicine. The same causes often concur to corrupt the manners of men, tho' our depravation in our present state cannot wholly be ascribed to them. For such

is the present condition of mankind, that none seem to be born without some weakneses or diseases of the soul, of one kind or other, tho' in different degrees. Every one finds in himself the notion of a *truly good man*, to which no man ever comes up in his conduct. Nay the very best of mankind must acknowledge that in innumerable instances they come short of their duty, and of that standard of moral goodness they find within them. And altho' nature has given us all some little sparks as it were to kindle up the several virtues; and sown as it were some seeds of them; yet by our own bad conduct and foolish notions we seldom suffer them to grow to maturity. But a full and certain account of the original of these disorders, and of the effectual remedies for them, in all the different degrees in which they appear in different persons, will never be given by any mortal without a divine revelation. And yet whosoever will set himself heartily to inquire into the true happiness of human nature, to discover the fallacious appearances of it, and to cultivate the nobler faculties of the soul, he will obtain a considerable power over the several turbulent passions, and amend or improve in a great degree his whole temper and disposition, whether it be what nature first gave him, or what his former conduct and circumstances have made it.

XVIII. THE consideration of all that variety of senses or tastes, by which such a variety of objects and actions are naturally recommended to mankind,

and of a like multiplicity of natural desires; and all of them pretty inconstant and changeable, and often jarring with each other, some pursuing our own interests or pleasures of one or other of the various kinds mentioned, and some pursuing the good of others; as we have also a great many humane kind affections: This complex view, I say, must at first make human nature appear a strange chaos, or a confused combination of jarring principles, until we can discover by a closer attention, some natural connexion or order among them, some governing principles naturally fitted to regulate all the rest. To discover this is the main business of Moral Philosophy, and to shew how all these parts are to be ranged in order: and we shall find that with wonderful wisdom

God and kind nature has this strife composed.

Of this we may have some notion from what is above explained about that moral Power, that sense of what is becoming and honourable in our actions. Nor need we long dissertations and reasoning, since by inward reflection and examining the feelings of our hearts, we shall be convinced, that we have this moral power or conscience distinguishing between right and wrong, plainly destined and fitted to regulate the whole of life; which clearly discovers to us that course and conduct, which alone we can entirely approve; to wit, that in which all kind affections are cultivated, and at the same time an extensive regard maintained toward the general happiness of all; so that we pursue our

own interests, or those of our friends, or kinsmen, no further than the more extensive interests will allow; always maintaining sweetness of temper, kindness, and tender affections; and improving all our powers of body or mind with a view to serve God and mankind. This same moral sense also filling the soul with the most joyful satisfaction and inward applauses, and with the most cheering hopes, will strengthen it for all good offices, even tho' attended with toil and dangers, and reward our efforts with the most glorious recompense.

Nay our reason too reviewing the evidence exhibited to us in the whole order of nature, will shew us that the same course of life which contributes to the general prosperity, procures also to the agent the most stable and most worthy felicity; and generally tends to procure that competency of external things which to a good mind is in its kind the most joyful. The same reason will shew us that the world is governed by the wisest and best Providence; and hence still greater and more joyful hopes will arise. We shall thence conclude that all these practical truths discovered from reflection on our own constitution and that of Nature, have the nature and force of Divine Laws pointing out what God requires of us, what is pleasing to him, and by what conduct we may obtain his approbation and favour. Hence the hopes of future happiness after death, and a strength and firmness of soul in all honourable designs. Hence the soul shall

be filled with the joys of piety and devotion; and every good mind shall expect every thing joyful and glorious under the protection of a good Providence, not only for itself but for all good men, and for the whole universe. And when one is persuaded of these truths, then both our social and our selfish affections will harmoniously recommend to us one and the same course of life and conduct.

C H A P. II.

Concerning the SUPREME GOOD.

HAVING in the former chapter premised a pretty full description of Human Nature and its several powers, we proceed to inquire into the Supreme Good or Evil, and wherein the chief Happiness of mankind consists, with the proper plan of life in order to obtain it.

We shall lightly pass over certain celebrated questions about the mutual powers of the *understanding* and *will* over each other, which properly belong to Pneumatics or Metaphysics. We only suggest in passing, 1. That what is wholly unknown cannot be the object of desire, and yet there are certain natural propensities or instincts in each species toward certain objects or actions, as soon as it obtains any notion of them, and aversions to their contraries. These the schoolmen call the *first simple motions of Will*. When these are so strong as to call off the mind from any other objects it may have been employed about, and surmount its sloth, or any dispositions to rest, it raises also a desire of searching out the proper means of obtaining the objects desired, and of discovering which of them are most eligible: and when this point is settled, then, according to the *Stoicks*, we are determined to execute these means, or there arises the *effectual purpose*

of action. Many of the *Peripateticks* deny that the Will is certainly determined to follow even the last *practical judgments*, tho' it generally does so. They alledge that it has an inherent power, notwithstanding any judgments or desires about the proper ends or means, of determining itself to act or abstain; nay some add, that it can determine itself to either of the contraries, to pursue good, or to pursue evil even under that notion. Let Metaphysicians determine these points. This in general seems true that we cannot properly ascribe any active power to the *understanding*, about our conduct in life. 'Tis its business only to discover *Truth*; whereas *willing, ordering, commanding, purposing*, are acts of Will.

The *will* again seems to have no other power over the *understanding* than this, that a man may as he wills turn his understanding to consider all the evidence on either side, and where the highest evidence does not occur, he can suspend any peremptory assent, and resolve upon a further hearing of the cause. But wherever full, certain evidence appears, he cannot at pleasure withhold his assent, or assent to the other side. Nay where on one side he sees superior probabilities, he cannot avoid judging that side to be more probable.

II. We also pass over some speculative questions about the general notions of Good, and Final Causes or Ends, and their divisions; as they are easy and belong to other sciences. These maxims seem evident.

1. The objects of desire are pursued either ultimately

for themselves, or as means to something further, or on both accounts. 2. Whatever is ultimately desirable is either recommended by some immediate sense or some natural instinct or impulse, prior to all reasoning. 'Tis the business of reason to find out the *means* of obtaining what we desire: or if various objects of desire interfere, to inquire which of them is of most importance to happiness, and what the best means of obtaining such objects. 3. Things are recommended to our pursuit, under one or other of these three forms or notions, either as *pleasant*, *profitable*, or *honourable*. Under the notion of pleasure are such things pursued in which we have only in view some grateful sensation to ourselves; and yet moral writers seldom include under this branch of *pleasant*, either the moral virtues, or the sciences and ingenious arts. These things are called *profitable* which are desired as means of somewhat further. The *honourable* are the several virtues either intellectual or moral, which recommend themselves by their own peculiar dignity, very different from the lower sorts of pleasures. 4. The importance or moment of any good toward our felicity depends on its dignity and duration. There's a great difference among the several sorts of good in point of dignity. When we compare together the goods corresponding to senses of the same order, such as those relating to the external senses, the dignity is just the intenseness of the pleasure in the sensation. But the objects of the superior senses have their own peculiar excellence, not to be

compared with the lower pleasures, appearing of itself, and raising the desires of such as know them; so that we approve and praise, and count the persons happy, and wise in their conduct, who despise all bodily pleasures in comparison with them. 'Tis thus we plainly judge of the man who prefers the joys of knowledge and of virtue and virtuous action to all others, and devotes himself entirely to them, in opposition to even the highest sensual enjoyments.

To a rational being therefore who is indued with forethought these must be the characters of his Supreme Good: "It must be something ultimately desirable to which most other things are referable; which has the highest dignity, which is stable or durable, and sufficient to satisfy or make happy."

III. IN our inquiries after happiness, which must either consist in the full enjoyment of all sorts of good, or at least in that of the principal sorts, we must observe, that 'tis impossible for one to ensure to himself the full enjoyment of all sorts of pleasure, and an immunity from all evil. According to the uncertain fleeting nature of human affairs, all external enjoyments must be uncertain. The objects themselves are perishable; and our own tastes and relishes are changeable; our health of body on which many enjoyments depend is very unstable: external objects depend not on our power, but as 'tis commonly said, are the gifts of fortune, or more properly, depend upon the Divine

Providence, which has ensured no man in the constant possession of them.

Need we also mention that there are many inconsistencies among the several enjoyments, so that one cannot vigorously pursue or enjoy them all: nay such is the dignity of the superior enjoyments, that they scorn such conjunction with the lower; their beauty and highest joy arises from our having despised and sacrificed to them the lower pleasures, and even resolutely exposed ourselves to toils and distresses on their account.

Since then there's no obtaining a full enjoyment of all sorts of good, or avoiding of all evil, we must carefully enquire which sorts of good are the most important to happiness, and what evils are the most grievous, and most enervating of tranquillity and happiness. We must therefore compare together the several goods which affect the various senses, and that both in respect to dignity and duration: and in like manner compare the several evils to discover which of them are most grievous and destructive.

IV. We may here transiently notice, that tho' we grant to Hieronymus of Rhodes, and some others of antiquity, that upon the mere removal of all pain there naturally ensues a state in itself grateful and pleasant, and that a stable sort of tranquillity and joy accompanies an entire immunity from uneasy sensations, so kind is the constitution of our nature, provided the mind is not disturbed by any keen desires or fears; so that their

maxim is true, that wherever there's freedom from all evil there must be the possession of some good: yet 'tis plain that beings endued with so many senses and active appetites and desires, cannot be made happy by mere indolence. This pleasure is but of a low kind, nor has it any dignity; much less can it have such force upon the soul as to be the spring of our actions and conduct in life. Happiness therefore must depend upon other sorts of goods suited to our perceptive powers. And here

In the first place 'tis plain that bodily pleasures have none of that dignity which is the object of praise. Were the sensations never so intense, yet they all are plainly mean, and many of them shameful: they are transient too and fleeting; nor does the remembrance of past enjoyments give any such pleasure, or yield any such matter of joy or glorying, which could allay any sorrows or distresses in life, or support us under them.

Nor can it be justly alledged, that the common sentiments of mankind seem to make these the highest of all, because we see the greater part of men much devoted to them alone. This is so far from truth, that there are few to be found, who, when the fervor of their passions is a little cooled, won't own, that such pleasures are quite insufficient to happiness. The most worthless characters have some imperfect notions of virtues almost continually influencing them; some friendships, some kind offices towards such as either

nature or acquaintance hath attached to them, and whom they rashly happen to esteem. Nor can any one deem himself happy in constant inactivity or sensual enjoyments: they must conjoin with them frequent actions and offices, which according to their notions are virtuous. But, how strong soever the lower appetites may be in proportion to the nobler, yet still that diviner faculty naturally destined to govern the rest, and from whose dictates we are chiefly to judge of the intention of God and nature, rather scorns and rejects sensual enjoyments, as below the dignity of the rational nature, and will not allow them to make a part of the true happiness.

Need we further insist that sensual pleasures are almost continually recommended by some borrowed colours of a moral kind, of friendship, humanity, beneficence, or an elegant taste; otherways they would be despicable and shameful. Nay our conscience or moral sense seldom appears in opposition to them; since by the strange deceit of the passions, we generally persuade ourselves of their innocence. But on the other hand the virtues charm and make us happy by their own native beauty and dignity: nor are we to imagine that happiness is found only in mirth, gayety, lasciviousness or diversions, the amusements of weaker minds. There's an higher happiness to the grave who are intent on serious business, from their own goodness, strength of mind, and steadiness.

There's just cause too of appealing from the judge

ment of the voluptuous, who given up to sensuality, seldom experience the joys of a virtuous sort most becoming the rational nature, and never feel the pleasures of entire stable integrity and goodness. They are corrupt judges, having the nobler senses of the soul much stupified. But the external senses are never imagined to be any way impaired by the greatest dignity and steddiness of soul in all the moral virtues. The good man knows all the good in sensual pleasures, and despises it that he may adhere to virtue; finding upon full knowledge of both, that in virtue consists the supreme good. These honourable enjoyments are never blended with sensual pleasures, or recommended to us as the means of obtaining them; on the contrary, they are chiefly recommended by the labours, troubles and dangers incurred;

Midst losses, deaths, deriving force

And spirit from the hostile sword.

HOR.

Nay we have in this cause frequent testimonies from the voluptuous themselves. How few are such abandoned wretches as not to be much more affected with the beauty of some virtues, than with any bodily pleasures? Who won't sometimes in serving a friend, or maintaining their own moral characters, or refuting certain calumnies, expose themselves to toils and danger, and forego pleasures? How few are devoted to mere solitary sensuality without any social friendly affections and joys? The few who are so, the world looks upon as monsters, and detests them. And then

how transient and fleeting are these pleasures, since they depend entirely upon the continuance of the appetite? when the natural craving is sated, all pleasure is gone; and there must be long, tedious and disagreeable intervals, unless they are filled up with more honourable pursuits.

A little reflection too will shew us, what is of high importance in this matter, that in a temperate course of life, filled up with the most virtuous pursuits, till the natural appetites recur, there is generally that enjoyment of the lower pleasures which is both safest and most delightful; since moderation and abstinence heightens the enjoyment. With such goodness is our nature constituted by God, so gentle is the reign of virtue, that it restrains not its subjects from that enjoyment of bodily pleasures, which upon a right estimate will be found the sweetest: altho' this she demands, that we should still preserve so lively a sense of the superior pleasures, as may be sufficient to controul the lower appetites, when they make any opposition. But on the other hand under the empire of sensuality there's no admittance for the virtues; all the nobler joys from a conscious goodness, a sense of virtue, and deserving well of others, must be banished; and generally along with them even the rational manly pleasures of the ingenious arts.

V. LET us next consider that pleasure which arises from the elegance and grandeur of life: this no doubt is of a far superior kind to brutal sensuality, and yet

is neither very great nor durable. Such things can give small alleviation to any of the important evils of life, such as bodily diseases, or those of the mind, which are often more severe, our own anxieties, sollicitudes, sorrows. While these matters of ornament, elegance or grandeur are new to us, they are pretty agreeable; but being a short while inured to them puts an end to their pleasure: we are soon cloyed; and if the taste continues, we fall a hunting after something new, with a strange caprice and inconstancy; exposing ourselves to innumerable chagrins and sollicitudes, to obtain what again we shall be presently cloyed with and nauseate.

Need we insist further that all these things require also some friendly society: their principal charm is in some notions of liberality, kindness, good-will, and sharing of pleasures with others: by these chiefly they are made joyful to us and matter of glorying. And then such things may be enjoyed by the very worst and most wretched of mankind as well as by the most worthy.

Let us subjoin to these the pleasures of the ingenious arts, and that most truly manly sort which we enjoy in knowledge and the sciences: these the sense of every one who has any tolerable genius or gentlemanly taste, must indeed prefer far above any bodily pleasures; and they are also far more durable and stable. Whenever therefore we have leisure from the honourable offices of life, what study or pains we em-

ploy about them is truly laudable, and the remembrance of it will be agreeable. This is the natural food of the rational nature, and a pleasure suited to it; this is the proper exercise and improvement of that diviner part: these pleasures are of a purer kind, and more honourable and joyful, and friendly too to the voluntary virtues. And yet we may easily see that they alone are not sufficient to happiness: they are not absolutely the highest; and are plainly in their own nature destined for something further, even for these honourable offices by which we may serve our friends or our country. And hence it is that all men must approve one who would throw aside even the most delightful studies about the most important subjects, when he were called to succour his friends or his country, or to perform any kind or friendly office.

Let us imagine with ourselves a person possessed of every ornament and elegance of life, along with all the means of bodily pleasures, and this by some miraculous providence; and that he were employed in the noblest contemplations with uninterrupted leisure, and yet void of all social affection, neither loving any nor beloved, without any opportunities of friendly offices: or imagine him retaining the natural affections toward others, but that all his kinsmen, all the objects of his love are calamitous and miserable: Is there any man so divested of humanity as to wish for such a lot to himself, or think it desirable? must not every one look upon it as miserable and detestable?

Imagine further, that the morose unkind affections also arise, envy, hatred, suspicion, fear; passions which generally fill up the vacancy of the kind affections in our hearts, even when we live in the greatest affluence: surely this state of life must be deemed most miserable, void of all true pleasure, and more to be dreaded than even a painful death. And yet on the other hand, friendly society in life, mutual love and confidence, and virtuous offices, can make a laborious toilsome life, even amidst distresses, desirable and glorious.

VI. LET us proceed to another source of happiness or misery, our sympathy or social feelings with others, by which we derive joys or sorrows from their prosperity or adversity. And this all must allow to be of great importance. For, in the name of all that's sacred! who would not prefer beyond all comparison the liberty, virtue, and felicity of his children, his kinsmen and friends, his countrymen, not only to sensual pleasures, but to the noblest pleasures of a selfish sort in the arts and sciences? who would not rather forego them all than behold all such as are dear to him in a condition either miserable or shameful? While there's any life or vigour in the natural affections of the social kind, scarce any thing can more affect our happiness or misery than the fortunes of others. What powerful relief under our own misfortunes arises from seeing the prosperity of such as are dear to us! and how is all our enjoyment of life destroyed and beat to pieces by seeing their misery!

This social sympathy we naturally approve : to be touched deeply with the misfortunes of others is honourable ; nor can we wish to be divested of this sense even when it occasions to us severe distresses and sorrows : and the contrary temper, the hard insensible heart, tho' free from such cares and sorrows, we naturally detest, and deem it miserable because it is odious and base.

The joys or sorrows of this class may also be very lasting, according as the prosperity or adversity of the persons we love continues. Nay we have deep sorrow in reflecting upon the distresses or deaths of friends for a long time after these events : this duration of these sensations adds exceedingly to their importance.

What happiness we derive from this source is plainly independent of us, and is determined by Providence. No man can insure it to himself any more than external pleasures. Nor is it of consequence to prevent sympathetic pain, to think that men are generally the guilty causes of their own miseries. Nay this very thing is chiefly deplorable and most pitiable, that men are made miserable by their own faults, placing their hopes of happiness in such mean perishing objects. All who deem themselves miserable are truly so, even altho' a change in their own tempers would, in the same external circumstances, make them happy.

There's plainly no other refuge from these evils, no other foundation for tranquillity or stable joy to

a kind heart, but a constant regard to the Deity and his wisdom and goodness governing this world; with a stable persuasion that all is ordered in the wisest and best manner for the universal felicity; and that all that variety of evil we behold is yet no more or greater than what is requisite for the prosperity and perfection of the universe, and may at last also frequently tend to the real good of these very persons whose misfortunes we bewail.

VII. THE next source of happiness or misery naturally connected with the former, is that *conscience* or *sense* of what is right and honourable, which is also of great importance in life. This any one may perceive who can recollect any offices he has done for others with vigour, friendliness, an high sense of duty, or fortitude; and observes with what joy the remembrance must fill his soul. What are our sentiments of others? with what endearment, what ardent good-will do we embrace such as are engaged in such offices? and how happy do we deem them even amidst their toils and dangers; nay when they are voluntarily exposing themselves to certain death for their friends, their country, or for the propagation of true religion? The very reveries of men at leisure, when they are imagining to themselves, or those they love, a whole plan of life of the greatest dignity and happiness they can conceive, sufficiently shew that they can have no notion of an happy course of life without a continued course of steady virtue, display'd amidst toils and dan-

gers. These sentiments appear rooted in our hearts from our childhood. The whole frame of our nature shews that we are destined for action, and that in virtuous action alone we can find the highest happiness, in comparison with which all sensual pleasures appear despicable.

And then, with what joy, with what tranquillity and confidence must a good man be filled, who endeavouring to resemble the Deity as far as he can, is persuaded that he has the Deity for his propitious kind Ruler, Father, and munificent Rewarder; who, being assured that all events are governed and disposed of by his Providence, willingly embraces whatever befalls him, firmly trusting that it is ordered with perfect wisdom, and shall tend to his good: one who knows and loves the Supreme Excellence, and is frequently employed in the contemplation and imitation of it.

Add to all this, that these joys are the most stable and durable which arise from a consciousness of our good dispositions, and of having acted according to them. The honourable toils and troubles are soon over, and are succeeded by joyful and glorious reflections. The taste is not changeable or inconstant; the practice of virtue is never cloying; nay it rather whets anew our appetite for further good offices of the same or a nobler kind. To this are joined these further pleasures, when we congratulate with those we have served effectually; when we justly expect the approbation and praises of mankind; when we have the

joyful hopes of obtaining from God and men whatever is requisite for our safety and felicity. Nor need any one fear the want of opportunities for exercising his virtues in good offices, if he is heartily set upon them, according to the condition of life allotted him. The indigent or weak may not be capable of important services to others in external things. But such a one, having most ardent wishes for the prosperity of mankind, and resolved to profit them at least by his example of piety, and by such mean offices as are in his power, may with an humble confidence and joy approve this goodness of his heart, these honourable affections to God the most equitable judge, and to the wisest of mankind, and expect their favour, approbation and protection.

VIII. WHAT naturally ensues upon this sense, is that of *honour* and *infamy*, which is a very keen and lively one. Praise and glory when they are founded upon virtue, make no small accession to happiness; but without this foundation they are of little consequence. That must be an unfair and trifling mind which can be delighted with praises it knows not to be due to it. True glory like a lively tree spreads its roots deep, and diffuses its branches: but false glory like the blossoms, must soon fall. No man can be assured that groundless honours can remain with him even for a day. Such is the power of truth, that it frequently prevails beyond all expectation, either in the unmasking of ostentatious hypocrites or in vindicating the in-

jured character, and rescuing virtue from calumnies. And since the true object of praise is virtue alone; that natural strong passion for praise should excite every wise man to regulate his whole life according to the rules of virtue, and employ himself continually in some truly honourable offices.

IX. THAT we may not quite omit another source of enjoyment tho' of a lower kind; that which consists in mirth and gaiety, amidst sports, diversions and jesting; we shall only briefly suggest, that unless the nobler powers be much stupified, and we cast aside all manly thought and reflection, indulging a base negligence about the most important concerns, we can no other way than by virtue and a careful regard to the duties of life, promise to ourselves either tranquillity or chearfulness. For when the soul is galled and ulcered either with remorse, or with the ill-natured envious passions opposite to virtue, or with fears and suspicions, there can be no undisturbed enjoyment of any satisfaction. In this matter the common similitude holds, "whatever is poured into a four cask must soon grow acid." 'Tis then alone we can be truly easy and chearful, fit to relish all manly pleasantries and mirth, when we are possessed of a courteous, humane, sweet temper, with a good conscience, and maintaining a friendly social intercourse with good men. Whatever therefore is valuable in gayety and mirth, should also excite us to cultivate all kinds of virtue,

and persuade us to activity in discharge of all the duties of life.

X. As to wealth and power; whatever good is in them, should naturally lead a wise man into the same virtuous course: since it is by obtaining the favour and good-will of others, and maintaining credit in society, that wealth and power are easiest obtained and preserved: nor can the greatest wealth or power secure its possessor against a general hatred or resentment. But as wealth and power are not desired for themselves, but for further purposes; from what we have shewn to be the noblest pleasures of life, and our highest advantage and happiness, it must appear, that they alone reap the true fruits, and have the safest and sweetest and most honourable enjoyment of wealth or power, who employ them in liberality and beneficence.

But since one of the first and strongest principles in all animals is the desire of self-preservation, we must offer a few thoughts on this head. 'Tis plain this desire like most others may be too strong: nor is mere living so much the object of it, as an happy life: and 'tis certain that in some circumstances life ceases to be desirable: as for instance, when we cannot preserve it without great baseness, ignominy and remorse; or must continue it under grievous bodily pain. The most friendly heart would wish for the death of his friend, when he cannot otherways escape these evils. Death is a certain event to all, and no man knows

how soon it may happen. It must therefore often be wise conduct for one's own interest to expose his life to the greatest dangers when any sacred duty requires it, that he may not for the preservation of life lose all that makes it worth retaining. * We ought therefore to fortify our minds against the terrors of death: for one who dreads an evil always impendent, and that may surprize us every moment, can retain no tranquillity. And this strength of mind is to be obtained by deep meditation from our youth, that after death, if it destroys the mind as well as the body, 'tis impossible there can be any evil, or any uneasy sensation. But if our souls perish not in death, which we justly conclude both from the goodness of God and the divine powers of the soul itself; then all good men may hope for a joyful state, and that this fading mortal life shall be succeeded by a new life of a nobler kind, which alone deserves that name.

The whole former reasonings unite in this conclusion, that happiness consists in the virtues of the soul, and in the continued exercise of them in good offices: to the completion of which however some moderate advantages with respect to the body and fortune are requisite, at least that we enjoy health, and such a competence of external things as may satisfy the painful cravings of nature. From the possession of virtue alone life is to be counted happy: but to make it completely so there must be a moderate degree of external prosperity.

XI. THE same conclusion is further confirmed by comparing the several evils contrary to the several sorts of good already compared. And here in the first place, 'tis plain that the strength and force of bodily pain is greater in proportion than that of bodily pleasures; and this wisely ordered, that we may be the more strongly excited to our own preservation: and yet they are not to be looked upon as the greatest of evils. Men are often led into this mistake by comparing some smaller kinds of moral turpitude, even when they are excused in some measure or alleviated by the greatness of the temptation, with the highest bodily tortures. But some crimes are so detestable, and must occasion such self abhorrence, and torturing remorse, and some sorrows and distresses occasioned by the misery of persons very dear to us are so deep, as to occasion misery superior to any bodily torments.

And then as to duration, the pain of the body, as well as its pleasures, can seldom be very durable. Such pain as is lasting must generally be of a lighter sort, or admit of frequent intervals of ease. The severer kinds must generally soon end in death: and the remembrance of past pain when we dread no returns of the like, has nothing uneasy in it, nay is sometimes sweet, and matter of glorying.

The more elegant pleasures of the arts, from beauty, harmony, and ingenious imitation, and all these things which relate to the ornament or grandeur of life, have no proper pain opposite to them. These

more sublime senses are the avenues of pleasure and not of pain. Where indeed men have indulged strong desires of such gratifications, or affect glory and eminence by them, it may be very uneasy to be disappointed, and we may regret much the want of them. But an absolute want of them is not a natural necessary cause of any misery. Nay we see that the greater part of men are abundantly easy without them, and therefore have no solicitude to procure them.

But 'tis of the highest use to observe, that virtue of itself has no natural tendency to expose us to any of these external losses or pains: nay it rather prevents or removes them. But if it should be our fortune to incur such losses or pain, from which surely the vicious are no more secured than the virtuous; or if sometimes on account of virtue we should be exposed to such evils, which is sometimes the case, (tho' men are much more frequently involved by their vices in such evils, and that in a more shameful base way) Virtue can teach us to bear such evils with resolution, or to conquer them; or will afford us a variety of strong consolations under them. Just reflection will shew us that such events are the proper matter of exercise for the most glorious virtues, the course in which they must run, and train themselves, acquiring daily new force: that it is by bearing them with patience that our resignation to God, our submission, and magnanimity must be display'd, strengthened, and at last gloriously rewarded.

The miseries of the sympathetic kind from the distresses of others are often more severe, nor can they be allayed by any sensual pleasures or any external objects. Such distresses are also very lasting: since all remembrance or reflection upon any grievous misfortune or infamy of any person dear to us must always be matter of great uneasiness. There is scarce any consolation under such distress except what must be derived from resignation and trust in the Deity; by which alone it is that good men can support their spirits in all events.

But still the most grievous of all evils is the moral turpitude of a depraved heart conscious of its own baseness. This makes a man odious to himself; and makes his own temper, what's most essential and intimate to him, appear base and shameful, nay ignominious and detestable. This evil too is of the most lasting nature; since the remembrance of our past crimes or impieties must ever be grievous and shameful. Nor can we shake off this uneasy tormenting feeling unless by an entire alteration of temper, and reparation of any injuries we have done; nor will this itself do it effectually. Its common attendants too are solitudes, fears, anxieties; and, as such persons have deserved ill of God and mankind, they must live in a perpetual dread that they shall be repaid according to their demerits.

Along with these inward causes of misery, comes also infamy; which when justly deserved gives severe

and lasting torment, excludes all hopes of true friendship or favour with others, and of obtaining their faithful assistances for our advantage.

From all this we see that it was with the justest reason the old Academy and the Peripateticks placed happiness in “ a constant activity according to the “ highest virtue in a prosperous course of life.” This the schoolmen call the *supreme formal good*. The same therefore is the summary notion of happiness and of virtue: to wit, “ that we should love and reverence the Deity with all our soul, and have a steadfast good-will toward mankind, and carefully improve all our powers of body and mind by which “ we can promote the common interest of all ;” which is the life according to nature.

XII. BUT we ought always to keep this in our thoughts, that we entirely depend on God ; that all the goods either of mind or body, all our virtues, have been derived from him, and must be preserved or increased by his gracious providence : and since every good temper must always extend its views abroad, studiously pursuing the happiness of others, which also entirely depends on the will of God, and cannot be insured by human power : there can be no other stable foundation of tranquillity and joy than a constant trust in the goodness, wisdom and power of God, by which we commit to him ourselves, our friends, and the whole universe, persuaded that he will order all things well. The schoolmen therefore justly call God the

supreme object of happiness, or the *supreme objective good*, from the knowledge and love of whom, with the hopes of being favoured by him, our supreme happiness must arise.

C H A P. III.

Concerning the CHIEF DIVISIONS of VIRTUE.

HAVING shewn that our chief good consists in virtuous activity, our next inquiry must be, what are the several virtues? and what actions flow from them? and toward what objects?

In explaining our natural conscience or sense of what is good and honourable, we shewed that the chief virtues of the soul are kind affections and beneficent purposes of action: and that of these the calm and stedfast are more excellent than the passionate, and that the most extensive are the most excellent. Amongst the most excellent too we placed an ardent love of moral excellence, an earnest desire of increasing it in ourselves, and an high esteem and love toward all who are possessed of it, with the highest love toward the supreme excellence. Whence appeared our duty of loving God with the highest veneration, and the sacred obligations we are under to cultivate such affections.

In the middle or lower classes of virtues we placed

these narrower affections which either nature or acquaintance have excited: of these the more lovely are such as arise in a virtuous heart upon observing in others the like virtuous dispositions: and hence such friendships as virtue has begot and nourished must appear very lovely. There's also something very engaging in a general courtesy, and sweetness of deportment toward all we have any intercourse with.

We reckon also among the virtues all these habits or dispositions, which tend to improve the nobler powers of the soul, or are naturally joined with or subservient to generous affections; and all such too as tend to restrain the meaner sensual appetites, the ordinary obstacles to virtue, and gives us a power to controul them: all these we immediately esteem for themselves. For by the wise contrivance of our Creator, our natural taste is so formed, that we immediately approve and esteem all such affections or powers, the more in proportion as they are of greater importance to the general good. And hence it is that we not only approve and love the kind affections of a more contracted kind, which are so necessary in the several relations of life, while they are not opposite to any more extensive interest; but we also immediately approve a *sincere, ingenuous, candid temper*; we praise *abstinence* or contempt of wealth and pleasure, and *fortitude*: as all these naturally evidence a mind possessed of an high taste for moral excellence, confirmed by an indifference about, or contempt of sensuality,

and external advantages, or disadvantages. Nay we immediately relish such a state or motion in the body as carries natural indications of virtue; and all the contrary dispositions whether of mind or body appear disagreeable and offensive.

Need we mention again some natural sense, different from the moral one, but not unlike it, by which we relish and value some powers of the mind and the body quite different from any of the voluntary virtues. To all the powers God has given us there's conjoined some sort of sense or relish, recommending that exercise of them we call natural, which is also the most subservient to the general good. Hence we highly approve the pursuits of knowledge and the ingenious arts, a capacity of application, industry, and perseverance. Nay even in bodily exercises and recreations, we most approve these which either shew something of ingenuity or strength, or tend to increase them.

II. HAVING given this general rude draught of the virtues, 'tis proper to consider their several kinds, that each of them displaying its beauty to us, may more allure us to pursue them. Virtue in the largest acceptation, may denote any power or quality which is subservient to the happiness of any sensitive being. In its stricter acceptation it denotes any habit or disposition which perfects the powers of the soul; and thus virtues are divided into the *intellectual*, which include all improvements of the mind by ingenious arts and

sciences; and *moral*, which are chiefly counted virtues, being perfections of the *will* and *affections*; and these are the chief object of Ethicks.

And yet the intellectual virtues are not to be altogether omitted in Morals; not only because they afford a noble branch of happiness, pleasures exceedingly becoming our rational nature; to which whosoever is inured, and has got an high taste for them, is enabled to condemn the meaner enjoyments which lead to vice; whence the sciences have justly been deemed *purifications of the soul**: but because they give a more direct aid to the moral virtues. For from a deeper inquiry into nature and the universe, the perfections of the great Creator are displayed, our dutiful veneration toward him increased, the mind led into a just contempt for the low worldly pursuits of mankind; and that *humility*, or deep consciousness of our own weakness and manifold imperfections, is obtained, which is a chief ornament and perfection in a good character. Nay, without a great deal of knowledge in the lower and ordinary affairs of life, we must be deficient in that practical prudence which is always necessary in our conduct. But these virtues or accomplishments belong principally to other branches of philosophy, or arts. This we suggest only in general, that in the pursuits of knowledge these two faults are to be cautiously avoided, the one that of rash precipi-

* Pythagoras and Plato called them καθαύματα ψυχῆς.

tate assenting; and for this purpose we must both take time and make vigorous application, and bring along a mind free from prejudices and prepossessions, or any passionate attachments. The other fault is employing too much keenness upon subjects, perhaps difficult, but of small use or necessity in life.

As to the moral virtues seated in the will; the divisions given of them by different authors are very different. The followers of Aristotle, having this principally in view, that 'tis by immoderate ungoverned passions that we are led into vice, while yet all these passions have been wisely implanted in our nature by the Deity for necessary purposes, they define virtue, "a considerate habit of the soul preserving a mediocrity according to right reason;" as indeed it is a great part of the office of virtue to keep the several affections, which are frequently disorderly, from both the extremes of *excess* and *defect*. In this view, to explain the several virtues they go through the several natural passions, and their several degrees, when they are either too languid or too vehement; and shew that the middle degrees are the safest, the most advantageous, and the most graceful; and these they count virtuous. Now the several habits by which this mediocrity is preserved, according to a celebrated division among the Antients, they reduce to four classes, which are called the *Cardinal Virtues*; *Prudence*, *Justice*, *Temperance* and *Fortitude*: from which they derive all the several branches of virtue.

III. PRUDENCE they describe “ a cautious habit “ of consideration and forethought, discerning what “ may be advantageous or hurtful in life;” which must be acquired and preserved by experience and frequent meditation. This habit no doubt is necessary in all the business of life. But one would think prudence were rather to be ranked among the intellectual than the moral virtues: and yet no man can attain to the true solid prudence, whose heart is not improved by the moral virtues, with an high sense of moral excellence; and who has not deeply imbibed the more generous sentiments of goodness. Others may have a sort of crafty sagacity in worldly affairs, which assumes to itself the title of Prudence and Wisdom, but yet is very remote from it. The vices opposite to this virtue are *rashness*, *inconsiderateness*, a *foolish self-confidence*, and *craft*.

Fortitude they define to be “ that virtue which “ strengthens the soul against all toils or dangers we “ may be exposed to in discharge of our duty:” ’tis this virtue which represses all vain or excessive fears, and gives us a superiority to all the external accidents of our mortal state; grounded on a thorough knowledge of their nature, that no external advantages are to be compared in point of happiness with the possession of virtue, and gaining the approbation of our own hearts, and of God, to whom our tempers must be perfectly known; and that nothing ought so much to be dreaded as vice and the moral deformity

of the soul: and consequently, since death must soon befall us in all events, that an early death with virtue and honour is highly preferable to the longest ignominious life. On such principles as these must be founded that true greatness and elevation of mind which is not to be disturbed by external accidents.

This true grandeur of mind is discovered in these three things; in an high relish and love of moral excellence; in that superiority to and contempt of external accidents just now mentioned; and in a tranquillity free from passion. There is therefore no true fortitude in not dreading moral turpitude or just infamy: the truly brave and wise avoid these things above all; as they will also decline any dangers to which no virtuous offices call them. Now as our passionate motions are of two kinds; one, that of passionate desires, the other that of averfions, fears or anger; and fortitude regulates these latter, as temperance does the former; among the branches of fortitude, are reckoned beside magnanimity, constancy, hardiness, and patience, *lenity* also of temper and *clemency*; and when the public interest requires it, *rigour* and *severity*, with such just resentment as is requisite to repel or restrain injuries.

The vices opposite to Fortitude on one hand, are *pusillanimity* and *cowardice*, and their common attendant *cruelty*; on the other hand, furious *boldness* and *temerity*, which is often attended with *obstinacy* and *ambition*, or too keen desires of eminence, in-

consistent with that equality of right which should be maintained in every free state.

Temperance is that virtue which restrains and regulates the lower appetites toward sensual pleasures; as 'tis by them that men are most frequently ensnared into all manner of vices, and into a neglect of every thing honourable. In this virtue most remarkably appears the grace and beauty of manners, which is quite destroyed by sensuality.

The several branches of *Temperance* are *Moderation of Mind*, *Modesty*, *Chastity*, *Frugality*, a *Contentment* with, or relish for plain simple fare, and a *Severity* of manners in opposition to all obscenity and lewdness. The opposite vices are *Luxury*, *Gluttony*, *Drunkennes*, *Impudence*, *Wantonness*, *Obscenity*, effeminate *Softness*, and *Delicacy* as to food and other cares about the body.

But *Justice* they make the sovereign virtue to which all the rest should be subservient: this they define "an habit constantly regarding the common interest, and in subserviency to it, giving or performing to each one whatever is due to him upon any natural claim." Under it they include all the kind dispositions of heart by which a friendly intercourse is maintained among men, or which leads us to contribute any thing to the common interest. Such as *Liberality*, *Beneficence*, *Friendliness*, *Gratitude*, *Magnificence*, *Courtesy*, *Humanity*, *Veracity*, *Fidelity*, *Hospitality*, *Love of our Country*, *Dutiful Affection* in the

sacred relations of life, and principally *Piety* toward God, who is conceived as the Ruler and Father of that most venerable and sacred political body, the Rational Creation, of which our several countries are but small parts. The nature of the three former cardinal virtues may be known from what was said above about the Supreme Good, and the comparisons made of the several objects of our natural desires: and the nature of Justice will be more fully explained in the Second Book, * where we treat of the several rights of mankind.

These four virtues they maintain to be naturally connected and inseparable not only in their highest degree, which they call the *Heroic*; but in the middle degree, called that of *Temperance*, when the lower appetites are easily governed: altho' they may be separated in the first weaker disposition called the degree of *Continence*. And yet from each of them some peculiar duties are derived which they dilate upon very agreeably. But so far for this subject.

IV. THERE arises here a question of some little difficulty about the original of virtue, whether it arises from the very constitution of our nature, or from instruction and habit, or by some divine influence or power. On which subject we briefly suggest, that whatever flows from any natural principles is as much owing to God, and we are as much indebted to him

* See Book ii. Chap. 2. and 4.

for it, as if it had in an extraordinary manner been effected by his power. Nor ought our gratitude to be less for any benefit, on this account that the liberal Donor has diffused the like goodness amongst many, or that these benefits have been bestowed upon us in a certain regular method, according to some fixed laws, in consequence of a stable series of causes determined at first by the goodness and wisdom of the Author of nature; or because he has used other voluntary agents as his ministers and instruments, whom he has inclined or excited to do us such good offices. Any virtues therefore which we find in ourselves should be the chief matter of thanksgiving and praises to God. And yet there's nothing incredible in this that the universal Governor of the world should also by his power inspire and excite men to whatever is glorious and honourable: nay 'tis rather improbable that he who had displayed such goodness in bestowing external advantages on us, should not also exert the same goodness and power in bestowing the more noble benefits*. The concurrence of these three causes to be sure must undoubtedly make men virtuous. We sometimes see an happy natural disposition, with something like a divine impulse, produce great matters without much aid from instruction or discipline: but without some to-

* This cannot appear strange to those who ascribe to the constant operation of God those forces in the material world by which its frame is preserved. See *Antoninus* B. i. c. 17. and B. ix. c. 48.

erable natural disposition, at least without a natural taste or capacity for virtue (which however scarce any one wants altogether) instruction or custom would be of little or no effect. Of these two a good natural disposition seems of greater consequence, as nature is a more stable principle. And yet instruction and habit wonderfully improve the natural disposition; and 'tis but seldom that without their aids we can expect to see any thing great and eminent.

We shall not dwell further upon that mediocrity insisted on so much by Aristotle: for tho' it well deserves our consideration, yet 'tis plain that the primary notion of virtue does not consist in it. And however it may hold not only as to our lower appetites, and some of the more sublime ones by which we are pursuing more manly enjoyments of a selfish kind, but even in the more narrow affections of good-will, that a middle degree, equally removed from both the extremes of excess and defect, is the most laudable; yet there can be no excess in these affections in which virtue chiefly consists, to wit in the love of God, and in that extensive good-will toward all, or in the love of moral excellence, provided we have just notions of it.

V. THERE'S another division more obvious and perhaps more natural, according to the several objects toward whom our virtues are to be exercised, into *Piety* toward God, and *Good-will* toward Men: to which a third branch may be added of such virtues

as immediately relate to ourselves, by which a man immediately aims at his own perfection. And altho' there be nothing morally lovely in mere self-love, and it must be some reference to our duty to God, or to that toward men, which must make a man's duties toward himself appear venerable or amiable; yet this third branch must not be omitted, since it is by means of a proper self-culture that we must be prepared for any honourable services to God or mankind; and with this reference they are exceedingly amiable.

In pursuit of this last division, we first explain the duties of piety, both to shew their true nature, and their importance toward our happiness; next we consider our duties toward our fellows; and lastly that self-culture which is subservient to Piety and Humanity.

C H A P. IV.

OUR DUTIES TOWARD GOD.

PIETY consists in these two essential parts, first in just opinions and sentiments concerning God, and then in affections and worship suited to them.

The just opinions concerning God are taught in Natural Theology or Metaphysics: to wit, that the Deity is the original independent being, complete in all possible perfection, of boundless power, wisdom and goodness, the Creator, Contriver and Governor of this world, and the inexhaustible source of all good. We take these principles as granted in treating of Morals, and inquire what affections of soul, what worship internal or external is suited to them.

The inward sense of the heart must shew at once, that this preeminence and infinite grandeur of the original cause of all, ought to be entertained with the highest admiration and praise and submissive veneration of soul: and since there's no desire more becoming the rational nature than that of knowledge, and of discovering the natures and causes of the greatest subjects, no occupation of the mind can be more honourable, or even delightful, than studying to know the divine perfections: nor indeed without ascending to the knowledge of the Supreme Excellency, can these honourable intellectual powers we are endued

with find a proper object fully to exercise and satisfy them.

II. As to the Moral Attributes of God: that original and most gracious Power which by its boundless Force, Goodness, and Wisdom has formed this Universe, granting to each being its proper nature, powers, senses, appetites, or reason, and even moral excellencies; and with a liberal hand supplying each one with all things conducive to such pleasure and happiness as their natures can receive; this Power, I say, should be acknowledged with the most grateful affections, with generous love, and the highest praises and thanksgiving; and with a joyful hope and confidence, purified from all vanity, pride, or arrogance, since we are such dependent creatures, who owe to it all we enjoy.

If we more fully consider the Divine Goodness and Moral Perfection; that the Deity must delight in all virtue and goodness; that he must approve and love all good men: this will suggest to all such still more joyful hopes, with an higher and more delightful confidence and trust, and more ardent love of virtue and of the Deity. Hence will arise a stable security and tranquillity of the soul, which can commit itself and all its concerns to the Divine Providence. Hence also a constant endeavour to imitate the Deity, and cultivate in ourselves all such affections as make us resemble him; with a steady purpose of exerting all our powers in acting well that part which God and

nature has assigned us, whether in prosperity or adversity.

Such contemplations of the venerable and adorable excellency and gratuitous goodness of God, whom every good man regards as the witness and approver of his actions, will lead us to an ultimate resting in virtue: that highest purity of it, by which we look upon conformity to the Divine Will, the discharging the duty assigned us by him, and performing our part well, as the chief good, the chief fruit of virtue. Nor without this knowledge of the Deity, and these affections, can a good benevolent heart find any sure ground of hope and security, either as to itself or the dearest objects of its affection, or as to the whole state of the universe. Nor can the virtuous mind, which extends its affectionate concerns to all mankind, or the love of moral excellence itself, ever be satisfied and at rest, unless it be assured that there's some excellent being complete in every perfection, in the knowledge and love of which, with a prospect of being beloved by it, it can fully acquiesce, and commit itself and the dearest objects of its cares, and the whole of mankind to his gracious providence with full security.

And altho' there's none of the human race who are not involved in manifold weaknesses and disorders of soul, none who upon reflection won't find themselves entangled in many errors and misapprehensions about matters of the greatest importance to the true happiness of life; and in the guilt of manifold crimes com-

mitted against God and our fellow creatures; on account of which they may justly dread the divine justice, and apprehend some impendent punishments: yet such is the divine goodness and clemency; with such long-suffering and mercy has he continued for many ages to exercise his gracious providence about weak corrupted mortals, that such as sincerely love him, and desire, as far as human weakness can go, to serve him with duty and gratitude, need not entirely lose hopes of his favour. Nay they have some probable ground to expect, that God will be found propitious and placable to such as repent of their sins and are exerting their utmost endeavours in the pursuits of virtue; and that his infinite wisdom and goodness will find out some method of exercising his mercy toward a guilty world, so as not to impair the authority of his laws and the sanctity of his moral administration, tho' human wisdom should never particularly discover it. And further, what is sufficient for our purpose in the present question can admit of no debate; that the perfection of virtue, must constitute our supreme felicity; and that the ardent desires, and sincere efforts to attain it, cannot fail of a most important effect, either in obtaining complete felicity, or at least some lower degree of it, or a great alleviation of misery.

The sublimer powers of the soul of their own nature lead us to the Deity: as they are derived from him, they powerfully draw us back to him again. Our high powers of reason, our benevolent affections of the

more extensive kinds, and our natural sense and love of moral excellence, have all this natural tendency. By these bonds all rational beings are as it were connected with and affixed to the Deity, if they have any care to cultivate these higher powers. Nor is the spring of this divine love the mere prospect of our own felicity to be found in him: for from our natural sense and approbation of moral excellence, where-soever it is discovered, there must arise a disinterested love and veneration, detached from all considerations of our own interests.

And further since all the more lively affections of the soul naturally display themselves in some natural expressions, and by this exercise are further strengthened; the good man must naturally incline to employ himself frequently and at stated times in some acts of devotion, contemplating and adoring the divine excellencies; giving thanks for his goodness; humbly imploring the pardon of his transgressions; expressing his submission, resignation, and trust in God's providence; and imploring his aid in the acquisition of virtue, and in reforming his temper, that he may be furnished for every good work. For the frequent meditation upon the supreme and perfect model of all goodness must powerfully kindle an ardent desire of the same in every ingenuous heart.

But here we must avoid any imaginations that our piety or worship can be of any advantage to the Deity, or that he requires it of us, for any interest of his

own. 'Tis rather our own interest that is promoted by it, and 'tis for our sakes that God enjoins it; that we may obtain the truest felicity, and excellence, and the purest joys. By entertaining these sentiments concerning the worship of God, we shall be secured from both the extremes, of *impiety* on one hand, which consists in a neglect and contempt of all religious worship; and *superstition* on the other, which is an abject dread of a cruel or capricious daemon men form to themselves, which they conceive appeasable by savage or fantastic rites.

III. HITHERTO we have treated of internal worship. But our nature scarcely relishes any thing in solitude; all our affections naturally discover themselves before others, and infect them as with a contagion. This shews that God is not only to be worshipped in secret, but in public; which also tends to increase our own devotion, and to raise like sentiments in others, and makes them thus partakers of this sublime enjoyment. This social worship is not only the natural result of inward piety, but is also recommended by the many advantages redounding from it; as it has a great influence in promoting a general piety: and from a general sense of religion prevailing in a society all its members are powerfully excited to a faithful discharge of every duty of life, and restrained from all injury or wickedness. And hence it is that mankind have always been persuaded, that religion was of the

highest consequence to engage men to all social duties, and to preserve society in peace and safety.

The external worship must be the natural expressions of the internal devotion of the soul; and must therefore consist in celebrating the praises of God, and displaying his perfections to others; in thanksgivings, and expressions of our trust in him; in acknowledging his power, his universal providence and goodness, by prayers for what we need; in confessing our sins, and imploring his mercy; and finally in committing ourselves entirely to his conduct, government, and correction, with an absolute resignation.

Where such devout sentiments are cherished, and affections suitable to them, there must be kindled an ardent desire of inquiring into all indications of the Divine Will. And whatever discoveries we find made of it, whether in the very order of nature, or by any supernatural means, which some of the wisest of the Heathens seem to have expected, the good man will embrace them with joy.

C H A P. V.

OUR DUTIES TOWARD MANKIND.

THE duties to be performed toward others are in like manner pointed out to us by our natural sense of right and wrong; and we have many natural affections exciting us to them. There are many sorts of kind affections in the several relations of life, which are plainly implanted by nature. Thus nature has implanted in the two sexes a strong mutual affection, which has a wonderful power, and has in view not so much the low gratification common to us with brutes, as a friendly society for life, founded upon that endearment which arises from a mutual good opinion of each other's moral characters, of which even beauty of form gives some evidence. There's also implanted a strong desire of offspring, and a very tender peculiar affection toward them. In consequence of this, there are also natural affections among brothers, sisters, cousins, and remoter kindred, and even such as are allied by marriages.

But there are still more subtle social bonds. Good men who know each other have a natural affection not unlike that among kinsmen. 2. Men are still further bound by an intercourse of mutual offices. 3. But benevolent affections still spread further, among acquaintance and neighbours, where there's any measure

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even of the commonest virtues. 4. Nay they diffuse themselves even to all our countrymen, members of the same polity, when multitudes are once united in a political body for their common interest. 5. And in men of reflection there's a more extensive good-will embracing all mankind, or all intelligent natures. 6. Along with these, there's a tender compassion toward any that are in distress, with a desire of succouring them; and a natural congratulation with the prosperous, unless there has intervened some cause of aversion or enmity.

These kind affections are immediately approved for themselves: every one feels a complacence in them, and applauds himself in indulging them as some way suited to his nature: but the contrary affections which are occasionally incident to men, such as anger, hatred, envy, revenge, and malice, are of themselves uneasy; nor can any one applaud himself in remembering them, or approve like passions in others: they are often matter of shame and remorse; and even when they seem justifiable and necessary, yet they contain nothing joyful, nothing glorious.

II. We have abundantly shewn how much these kind affections with the suitable virtuous offices contribute to our happiness. All men who have not quite divested themselves of humanity, and taken up the temper of savage beasts, must feel that without mutual love, good-will and kind offices, we can enjoy no happiness: and that solitude, even in the greatest af-

fluence of external things, must be miserable. We also shewed that the calm, steady affections were more honourable than the turbulent. But we must still remember, that mere kind affection without action, or slothful wishes will never make us happy. Our chief joy consists in the exercise of our more honourable powers; and when kind affections are tolerably lively they must be the spring of vigorous efforts to do good.

This therefore is the sum of all social virtues, that with an extensive affection toward all, we exert our powers vigorously for the common interest, and at the same time cherish all the tender affections in the several narrower relations, which contribute toward the prosperity of individuals, as far as the common interest will allow it.

III. BUT as there are very few who have either abilities or opportunities of doing any thing which can directly and immediately affect the interests of all; and yet every one almost can contribute something toward the advantage of his kinsmen, his friends or his neighbours, and by so doing plainly promotes the general good; 'tis plainly our duty to employ ourselves in these less extensive offices, while they obstruct no interest more extensive, and we have no opportunities of more important services. In doing so we follow nature and God its author, who by these stronger bonds has made some of mankind much dearer to us than others, and recommended them more peculiarly to our care.

We must not therefore, from any airy views of

more heroic extensive offices, check or weaken the tender natural affections, which are great sources of pleasure in life, and of the greatest necessity. Nay 'tis our duty rather to cherish and increase them, in proportion to their importance to the common interest. But at the same time we should chiefly fortify the most extensive affections, the love of moral excellence, and the steady purpose of conformity to the Divine Will. While these nobler affections have the controll of all the rest, the strengthening the tender affections in the several narrower attachments of life will rather tend to complete the beauty of a moral character, and the harmony of life. The interest too of each individual should lead him to this cultivation of all kind affections; since, as we shall presently shew, so are we formed by nature that no man in solitude, without the aids of others and an intercourse of mutual offices, can preserve himself in safety or even in life, not to speak of any pleasure or happiness. Now 'tis plain, that 'tis only by kind offices and beneficence that we can procure the good-will of others, or engage their zeal to promote our interests: whereas by contrary dispositions, by a sordid selfishness, and much more by violence and injuries, we incur the hatred of others; wrath and discord must arise, and we must live in perpetual dread of the evils which the resentments of others may occasion to us. Nay further from such conduct there naturally arise in our own minds all the sullen, uneasy passions of suspicion, jealousy, and too

well grounded fears : since not only the persons immediately injured, but all others who have any regard to the common interest, are roused by a just indignation to repel and revenge any injuries attempted against their neighbours.

Nor should we omit some other wonderful contrivances in nature to preserve a social life among men and avert injuries. What a manifest accession of beauty is made to the countenance from friendly mirth, and cheerfulness, and an affectionate sympathy and congratulation with others ? How much grace arises from a resolute conscious virtue, and the inward applauses of a good heart ? What charms in the countenance, what gentle flames sparkle in the eyes of a friend, or of one who is full of gratitude for any kindness received. On the other hand, when an injury is received or apprehended, and there's hope of avenging and repelling it, in what forms of countenance does resentment discover itself, and what wrathful flames flash from the eyes ? But when there's no hopes of repelling the injuries intended, with what powerful eloquence has nature instructed even the dumb animals, as well as mankind, under any oppressive sorrow or pain, or any great terror ? How moving is that mournful wailing voice, that dejected countenance, weeping and downcast eyes, sighs, tears, groans ? How powerfully do they move compassion in all, that they may either give succour in distress, or desist from the intended injuries ?

IV. In this place we must not pass by the virtue of *friendship*, which is so lovely and so useful in life. To alledge that this ardent affection of such admirable force, arises merely from a sense of our own weakness and indigence, that so what one cannot obtain by his own power, he may by the aids of others; is ascribing to it a mean and despicable original, and a very unstable foundation: since at this rate any change of interest, so that we apprehended trouble or inconvenience by our friendliness, must at once destroy all affection or good-will: nay indeed there could be no real love, but a mere hypocritical profession of it, from such views of interest.

The true spring of friendship therefore must be that natural approbation and love of moral excellence already mentioned. For whensoever virtue appears in the manners of those with whom we are acquainted, there must arise immediately, without views of interest, an high esteem and love toward them. For the good, as a sort of kindred souls naturally love and desire the society of each other. This love when it is strengthened by seeing each others friendly zeal, and by an intercourse of mutual services, becomes at last as strong as any ties of blood; so that we have the same ultimate concern about our friends that we have about ourselves.

But as vicious men are naturally inconstant and variable, with such opposite passions as hinder them from either pleasing themselves long, or being agree-

able to others; stable friendship is only to be found among the good: since it must both be produced and preserved by virtue. And hence flows the grand rule of friendship, that we neither ought to desire our friends concurrence in any thing vitious, nor concur in it at his request; least we undermine its only foundation. Friendship therefore is "the affectionate union of minds resembling each other in virtuous manners." Which whosoever enjoys, will find it the most agreeable companion in the road to virtue and happiness. What can be sweeter, what more useful than to have a wise worthy friend with whom we may converse as freely as with our own soul: what enjoyment could we have of prosperity without the society of one who as much rejoices in it as we do ourselves? and for adversity, 'tis hard to bear it without the society of such as perhaps suffer more by sympathy than we do. In both fortunes we need exceedingly the wise counsel of friends: friendship which ever way we turn us will be a present aid; no station excludes it; 'tis never unseasonable or troublesome. 'Tis the chief ornament of prosperity, and exceedingly alleviates our adversities by bearing a share in them.

V. WE may further observe in relation to the kind affections, that tho' the most extensive good-will toward all can never be too great, nor can our love of God and virtue admit of any excess; yet all the more contracted affections, arising either from the ties of blood, or acquaintance, however lovely of themselves,

may sometimes be excessive, and beyond that proportion which a good man would approve. Love is often divided into that of *benevolence* or good-will, and that of *complacence* or esteem, by which we are pleased with the tempers of others and desire their society. In the former branch there's less danger of exceeding the just bounds, provided we retain a just submission to, and trust in the Divine Providence, and preserve the more extensive affections in their proper superiority, so as not to sacrifice the interest of our country, or of the larger societies, or of persons of superior worth, to that of our friends, or favourites. But the love of complacence which comes nearer to friendship, stands on more slippery ground. We ought to be very cautious that this affection be not employed about unworthy objects; or allure us to any thing vicious; nor so engross the whole man, that if these beloved persons be removed from us, or be involved in any calamities, our souls should sink entirely, and become unfit for all offices of piety and humanity. The best preventive of these evils, is not a restraining and checking all the tender affections of a narrower kind; but rather the cultivating the highest love and veneration toward the Deity, placing our hope and confidence in his Providence; and enlarging our views and concerns with more equitable minds toward the rest of mankind, that we may also discern what real excellencies are among them, perhaps equalling or surpassing those we had with such fond admiration beheld in our peculiar favourites.

C H A P. VI.

*Concerning our DUTIES toward OURSELVES, and
the IMPROVEMENT of the MIND.*

AS powerful motives of private interest naturally excite us to our several duties toward ourselves; to give them something venerable and laudable they must be ultimately referred either to the service of God, or some advantages to be procured to others. With this reference they become highly virtuous and honourable.

The culture of our minds principally consists in forming just opinions about our duty; and in procuring a large store of valuable knowledge about the most important subjects: as indeed all branches of knowledge have some use, and contribute in some measure to happiness, either by the immediate pleasure, or by discovering more fully to us the divine perfections, or enabling us better to know and discharge our duty; since the affections of the will naturally follow the judgments formed by the understanding. All therefore who have abilities and proper opportunities, ought to apply themselves to improve their minds with an extensive knowledge of nature in the sciences; and 'tis the duty of all to acquire by diligent meditation and observation that common prudence which should constantly govern our lives. We ought therefore to

make just estimates of all things which naturally raise our desires, consider thoroughly their importance to happiness, and find out wherein consists our supreme good; the discovery of which must also discover the true plan of life. We should therefore deeply impress this on our minds, that our chief good is placed in devout affections toward God, and good-will and beneficence toward mankind.

The Divine nature therefore and its boundless excellencies should be matter of our most careful inquiry; especially those attributes which excite our pious veneration, love, and trust in him. And we are to extirpate all imaginations or suspicions, of any purposes in God which are inconsistent with the perfection of wisdom, goodness, and love to his creatures.

We ought also carefully to study our own nature and constitution; what sort of beings God requires we should be; what character * either more general, or more peculiar to each one, God requires he should support and act up to in life: that thus we may follow God and nature as the sure guide to happiness.

We ought therefore to enter deeply into human nature; observing both in ourselves and others the true principles of action, the true tempers and designs: lest we rashly form worse notions of our fellows than

* See a full explication of these characters, the *general* including all integrity and probity of manners, and the *particular*, suited to each one's genius, explained in *Cicero de Offic. B. i. 30, 31, 32, &c.*

just reason would suggest. By a thorough view of these things, we should often prevent or suppress many of the harsher and ill-natured passions, anger, hatred, and envy; and cherish humanity, compassion, lenity, forgiveness and clemency.

II. THIS should also continually be in our thoughts, that all things fall out according to the divine counsel, either directly ordering them, or at least, permitting them with the most perfect purity, for some excellent purposes: and that consequently what appears to us harsh, injurious, or ignominious, may be designed to afford occasion for exercising and strengthening the most divine virtues of the good; and in them consists their chief felicity.

The soul should be inured to a generous contempt of other things; and this we may acquire by looking thoroughly into them: by observing how mean, sordid, fading, and transitory are all bodily pleasures, all the objects that afford them, and our very bodies themselves! by observing how small these joys are and how little necessary, which arise from the external elegance and grandeur of life; and how uncertain they are; what cares they cost in acquiring and preserving; and how soon they cloy and give disgust! as to speculative knowledge; how uncertain and imperfect are many sciences, leading the embarrassed mind into new obscurities and difficulties and anxious darkness; and discovering nothing more clearly than the blindness and darkness, or the small penetration of our understand-

ing. Again how poor an affair is glory and applause! which is ordinarily conferred by the ignorant, who cannot judge of real excellence; our enjoyment of which is confined within the short space of this life; which can be diffused through but a small part of this earth; and which must soon be swallowed up in eternal oblivion along with all the remembrance either of these who applaud or of the persons applauded. This thought too of the shortness of life, will equally enable the soul to bear or despise adversity; taking this also along, that the soul who bears it well, will obtain new and enlarged strength; and like a lively fire, which turns every thing cast upon it into its own nature, and breaks forth superior with stronger heat; so may the good man make adverse events matter of new honour and of nobler virtues. To sum up all briefly, all things related to this mortal state are fleeting, unstable, corruptible; which must speedily perish, and be presently swallowed up in that boundless ocean of eternity. For what can be called lasting in human life? Days, months, and years are continually passing away; all must die, nor is any sure that death shall not surprise him this very day: and when that last hour overtakes him, all that's past is lost for ever; nor can there remain to him any enjoyment, except of what he has acted virtuously; which may yield some joyful hope of an happy immortality. This hope alone can be the foundation of true fortitude; this prof-

pect alone can fully satisfy the mind as to the justice and benignity of the divine administration.

But as in other arts, the mere knowledge of the precepts is of little consequence, nor can any thing laudable be obtained without practice and exercise; so in moral philosophy, which is the art of living well, the importance of the matter requires habit and continual exercise. Let our reason therefore, and the other divine parts in our constitution, assume to themselves their just right of commanding the inferior faculties, and inure them to a constant subjection. And this in our present degenerate state must require almost continual attention and internal discipline; to the success of which it will contribute much that we be frequently employed in the offices of piety and devotion toward God, in adoration of his perfections, prayers, confession of sin, and pious desires, and vows of obedience.

III. To apprehend more fully the nature of virtue and vice, and to adorn the soul with every moral excellency, it may be of use to run over the several species of virtue, with their characteristics, and established names; and observe the several opposite vices, whether in the excess or defect of some natural desire. The explication of the several passions belongs to another branch of Philosophy. To count them all over, and mark their several degrees whether laudable or censurable, with their several signs or characters, would require a very long discourse, with great variety of

matter: but what's of most importance to lead us to virtue, is the forming just estimates of all human affairs, all the objects of the natural desires; and by frequent meditation deeply infixing in our hearts just impressions of their values, and habituating the superior parts of the soul to a constant command over the inferior.

This however must be remembered concerning our natural desires and passions, that none of them can be pronounced absolutely evil in kind: none of them which may not sometimes be of great use in life, either to the person in whom they reside, or to others of mankind: in promoting either their advantage, pleasure, or even their virtue. Superior orders of intelligence who have the superior powers more vigorous, may perhaps stand in no need of such violent motions or instigations; but to mankind they seem often necessary. And there is a moderate degree of each of them which is often advantageous, and often laudable. Such affections as don't come up to this moderate degree are not sufficient for the purposes either of the individual, or those of society; and such as are too luxuriant and vehement, whether in pursuit of good or repelling of evil, and pass over the proper bounds, become uneasy and dishonourable to the person in whom they are, and are hurtful or pernicious to society. The moderate degrees of several passions we justly deem not only innocent, but exceedingly subservient to virtue, as its guards or ministers; nay as the springs of

many honourable actions, and as real virtues. By means of these better passions whether in pursuit of good or warding off of evil, we enjoy a more lively sense of life, the force of the soul is enlarged, and its activity invigorated: whence Plato calls these passions the *wings* or *chariot-horses* of the soul.

Nature has given us the clearest indications of what she requires in this matter. For while these passions are kept moderate under just government, and directed by reason, the whole deportment is graceful and lovely. But when we are hurried away by any furious unbridled passion, we are utterly incapable of exercising our reason, or finding out what is wise and becoming us; we quite miss the very aim of the passion itself, and our whole deportment is disagreeable and deformed. Observe the very countenances of persons enraged, or of such as are transported with any ardent enflamed desire, or distracted with terror, or fluttering with joy. Their whole air, the whole state and motion of the body becomes deformed and unnatural.

We therefore give the honourable titles of *virtues* to these moderate passions, equally confined from the two extremes; and call the extremes *vices*. But we have not appropriated names for the moderate and just degrees of several passions; and hence some have rashly imagined, that some of our natural passions are wholly and absolutely evil. And yet 'tis plain that there are also certain moderate degrees of these passions both innocent and necessary.

To illustrate all this by examples. A moderate desire of *self-preservation* is both necessary and easy. Where this is wanting, men shew a desperate audacious disposition without any caution. This temper is generally restless, turbulent, and destructive both to the person himself and to the society he lives in. Where this care of self-preservation is excessive, it appears in timidity and cowardice; dispositions quite useless to the public, and tormenting to the person, exposing him to all injuries and affronts.

A moderate relish for *sensual pleasures* is useful, nay necessary. An entire insensibility would deprive one of a great deal of innocent pleasure; but seldom meet we with any thing wrong on this side. Where the taste is too high, which we call luxury or intemperance, it generally excludes all the more manly enjoyments, neither consulting reputation nor honour; nor even health or fortune, or the preservation of life. This turn of mind too must frequently expose a man to continual chagrin and uneasiness.

About our *estates* or *worldly goods* two virtues are employed, *frugality*, which consists in a wise management of them for honourable purposes, and *liberality*, which excites us to acts of kindness to others. The former is absolutely necessary to the exercise of the latter: both are pleasant, advantageous, and honourable: the former more peculiarly subservient to our advantage, and the latter to our honour. The excess of frugality and defect of liberality is *avarice*, which

is among the most deformed and most uneasy vices, pursuing stores quite unnecessary, and which it never intends to use; stores that must be obtained with much toil and uneasiness, and need rather more to preserve them. The defect of frugality and excess of liberality is *prodigality*, destructive to our fortunes, little subservient to the pleasure or safety of life, or even to fame, which it seems chiefly to have in view.

The highest pitch of liberality is called *magnificence*, where great expences are wisely employed for some honourable purposes. The defect of this is seen in an affectation or shew of magnificence with an unwilling narrow heart. The excess is sometimes seen in the inelegant boundless profusion of persons who have no just notion of decency and elegance.

The highest pitch of fortitude is in like manner called *magnanimity*; or an elevation and firmness of soul, which no circumstances of fortune can move, aiming solely at moral excellence in all its conduct. The extreme in excess often appears in a desperate audacious ambition, stopping at no dangers. Such a temper must be dangerous and uneasy to the possessor, and inconsistent with his safety, as well as that of others; as also destructive of the liberty and dignity of all around. The other extreme is pusillanimity or cowardice, rendering a man useless and miserable.

The like holds as to the *desire of power* and promotion in the world: a moderate degree is useful and sits easy on a good man: when it grows excessive, 'tis

vices, both uneasy and restless, and very vitious, and dangerous to itself and all around. Where it is too faint and weak even when just occasions offer, men abandon the proper station or opportunities of virtue and honour.

So also a moderate *desire of fame* is manifestly of great use, if we have yet higher desires of virtue. The excess of this desire is restless and uneasy, and often defiles and debases the true beauty of virtuous actions. Where men want this desire, or have it very languid, they want a very potent incitement to all virtuous offices.

Nor can all *anger* or *resentment* be condemned, altho' there's little lovely in any degree of it. An entire insensibility of all injuries, of which there are but few instances, would be a very inconvenient disposition; exposing a man to the contumelies and petulance of others; nor well consistent with his own character, or the safety of such as he is bound to protect. Excessive anger on the other hand is a most tormenting passion, and often destructive to the person in whom it is found; nor is there any passion more dangerous to society.

There's a certain just *indignation*, becoming a good man, when the worthless are promoted to power or dignity. One void of such sentiments would be too little solicitous about the interests either of his friends or his country. But where this passion is excessive, or rises without just cause (which we call *envy*, the com-

mon spring of inveterate malice) it is the most destructive poison to the soul, tormenting to the breast where it resides, and extremely vitious, leading into the most horrid crimes.

This is to be observed of all the unkind passions which partake of anger, that they should be indulged no further than is plainly necessary for our own preservation or that of our friends and country. If we could without these passions insure their safety, there would be nothing desireable or laudable in them: nay on the other hand, nothing is more lovely than lenity, mercy, placability, and clemency.

Among the virtues of social conversation, the first and chief is *veracity* and candour, of which we shall treat more fully in * another place. The opposite vices are all as it were defects: lies, deceit, fraud, crafty hypocrisy, and dissimulation.

In the same class are some other virtues tending to give pleasure to and oblige all we converse with; such as *courtesy*, *good-manners*, *complaisance*, *sweetness*, *pleasantry*, *wit*: all which are laudable and graceful, and promote friendliness and good-will in society. There are opposite vices on both hands: on the one, a *servile fawning*, and flattery, and scurrility; having no other view than insinuating by any sort of pleasure into the favour of those it makes court to, and stooping into the most ungentlemanly or obscene jests: on

* Book ii. c. 10.

the other, a troublesome, unmannerly *rufficity* and roughness, shewing no respect or deference to company, but pleasing itself with a shew of liberty and boldness. 'Tis needless to dwell upon the inconveniences arising from these vices, as they are always mean and indecent, and often lead to the greatest mischiefs. The true preservative against both extremes is first to take care to attain a truly virtuous temper; and then, to maintain both a real good-will and a respect for those with whom we live in society.

As to *modesty* and *bashfulness*, 'tis worth our notice that this passion plainly arises from a lively sense and solicitude about what is decent and honourable, and hence gives in our youth hopeful prognostics of a fine genius, well formed by nature for every thing virtuous. But where it is excessive in maturer years it often retards or withholds men from acting an honourable part: where this sense is very weak or wholly wanting, men want a powerful guardian to every virtue.

A more copious explication of all this subject may be found in Aristotle and his followers: we may however suggest before we quit it, that since such fatal dangers threaten virtue as it were on both hands, we should certainly apply the greatest care and attention and self-discipline, in governing our several passions, in maintaining a lively and vigorous sense of moral excellence, and cultivating our rational powers and the nobler and more extensive calm affections, whether

toward our own true interests or those of mankind.

IV. THERE'S also some care to be taken of our bodies. Strength and health is to be acquired or preserved chiefly by temperance and exercise; that so our bodies may be enabled to obey the commands of the soul, in enduring all toils we may incur in discharge of our duty.

And since men can do little service to society who have not in their younger years been trained to some useful art or occupation: every one should timeously choose some one, suited to his genius, lawful in its nature, and of use to mankind. Nor ought such as are born to estates, who therefore need not for their own support any lucrative profession, think themselves exempted from any such obligation. For it seems more peculiarly incumbent on them, as Providence exempts them from other cares, to contribute to the public interest, by acquiring a complete knowledge of the rights of mankind, of laws, and civil polity; or at least such acquaintance with all the common business of mankind, that they may be able either by superior wisdom, or by their interest and influence, to serve their country or their neighbours; and not be useless loads of the earth, serving only to consume its products.

As to the several professions or occupations, we deem them reputable on these two accounts, as they either require a finer genius and greater wisdom, or as they are of greater use in society. On both accounts

the occupation of teaching others the grand principles of piety and virtue, or even the more ingenious arts, is reputed honourable; so are also the professions of law, medicine, and war, and some others of the more elegant arts. The more extensive merchandise, and even some mechanic arts, are justly reputable both on account of their great utility, and the considerable abilities of mind requisite in them. Agriculture has been the chief delight of the finest spirits, as no manner of life is more innocent, none affording sweeter amusements, none more becoming a rational creature, or a person of genteel taste in life.

In the choice of our occupation or profession for life, our chief regard should be to our natural genius. But as our success in any occupation depends in the first place upon our genius, and next to it upon favourable circumstances of fortune, regard is to be had to both, but chiefly to our natural genius: for nature is a much surer and steddier principle.

C H A P. VII.

*Some PRACTICAL CONSIDERATIONS to excite and
preserve the STUDY of VIRTUE.*

WE need not now spend many words in shewing the necessity of pursuing virtue. For if we are sufficiently persuaded that in it consists our chief felicity, and that all other things are uncertain, weak, fading, and perishing, nor sufficiently adapted to the dignity of the rational nature, we must deem it necessary to enter upon that course of life which our conscience or inmost sense, as well as right reason recommends, as most suited to our nature, and which leads to the peculiar happiness of rational beings: by which means also we exercise and improve these powers which are supreme and most God-like in our constitution, and discharge the office imposed upon us by God and nature.

With what other view has God given us souls so well fitted for the knowledge and practice of so many virtues? To what purpose so many noble powers, such furniture of soul for most excellent arts and offices; the powers of reason and speech, the powers of invention, the desires of knowledge, an almost boundless retention and memory of things past, a provident sagacity about futurity resembling divination, a sense of what is honourable and shameful as the controller of

our lower appetites; so many kind affections consulting the good of others, a conscience or sense distinguishing the right from the wrong, the honourable part from the vitious and base: along with a strength and grandeur of mind for enduring dangerous toils? To what purpose that penetration into nature which reaches even to the heavens, discovers the Deity presiding in the universe, discerns his infinite perfections, and raises us to the hopes of immortality after the dissolution of the body?

Do we speak only about Philosophers? what nation or clan is there where there has not always prevailed an universal and firm persuasion, that there is a Deity, that he enjoins certain duties upon mankind, appoints them a certain moral character they must maintain; and that their future state after death shall be happy or miserable according to their conduct in this world. These therefore are the dictates of nature, sentiments adapted to our frame, and supported by obvious reasons, which continue coeval with mankind; whereas the credit of ill-founded fictions by length of time has always decayed, and at length vanished away.

Metaphysicians suggest many other arguments for the immortality of the soul; we only suggest here, that as the ingenious and artificial structure of the universe affords the strongest arguments for the existence of artificial intelligence, the Creator and Ruler of this material frame, so arguments exactly parallel to them,

from the structure of our souls, shew that God has also a regard to the moral qualities, the virtues and vices of rational creatures; and that he exercises a just moral government over them, under which happiness must be secured at last to the virtuous, and misery allotted to the vitious. And since we see that this does not hold universally in the present state of this world, we may reasonably expect another display or unfolding of the divine administration in a future state, in every respect worthy of God. This too is confirmed by the very nature of the soul itself. For that wonderful life and activity of our minds, that extensive remembrance, that sagacious foresight, those noble powers and virtues, those ingenious arts and sciences and inventions, make it incredible that substances containing such excellencies can perish along with these despicable bodies. Now such prospects of immortality must suggest the most potent motives to all virtue, and the strongest dissuatives from vice.

II. AND that we may with greater resolution endeavour to cultivate all virtue, let us have always at hand these thoughts; (1.) That where there's an hearty inclination to what is honourable and good, we seldom want strength in execution, and have ground to hope for the divine assistance. We even see in the ordinary course of things, that by vigilance, activity, and wise deliberation, all matters generally succeed prosperously: men daily increase in ability; their superior powers acquire new strength and command over

the lower appetites; and what at first appeared hard and difficult, by custom is made easy and even delightful. The toil and trouble of any honourable offices will soon be past and gone, but the remembrance of them will remain perpetual matter of joy.

(2.) But ~~least~~ the keen desires of the external advantages, and the alluring pleasures of this life should abate our virtuous pursuits; we should frequently consider with the deepest attention what stable and solid joys and hopes accompany virtue: we should consider also the nature of all worldly enjoyments, and obtain that just contempt of them we often mentioned; and ever keep in view the shortness of this life, and that death must soon overtake us all.

(3.) And yet since there's a certain measure of external pleasures and enjoyments natural and necessary, we must have some regard to them; provided we still remember that there are others much more important. That we may not therefore seem obliged as it were to declare war against all the conveniences or pleasures of this life, let us run over the several virtues, and see how much each of them generally contributes to our present prosperity and pleasure.

Prudence, which restrains the inconsiderate foolish impulses of the passions, must be alike necessary in every course of life whatsoever, that we may effectually pursue any end we propose, and not blinded by lust run headlong into the objects of our strongest aversions.

The several branches of *Justice* are of the greatest consequence to maintain peace, to avoid offending and provoking others, to obtain safety, favour, reputation, credit, wealth, extensive influence, and friends, which are the surest defences against all dangers in life. These virtues in their own nature preserve the soul easy and calm, and yield a joyful hope that we shall always obtain such things as are naturally necessary and desirable. On the other hand, where designs of violence and injustice possess the heart, as they are turbulent and uneasy in their own nature, so they devour the breast with perpetual suspicions, solitudes, and fears. Need we speak of the highest branch of justice, Piety towards God? this secures to us the favour of the Supreme Governor of the world, the Sovereign Arbiter of our fortunes, who will always provide for the virtuous, if not the things at present most pleasurable, yet such as are truly fittest for them, and most advantageous and pleasant at last. And from piety will arise the hope of immortality which can always support the soul in every circumstance of fortune.

The several parts of *Temperance*, as they faithfully cherish all other virtues, so they tend to preserve and improve our health, strength, and even the beauty and grace of our persons; as the tranquillity and inward ease of the soul shews itself in the countenance. And frugality, a sparing simple way of living, diligence, and industry, are plainly subservient to wealth and affluence: which luxury and intemperance tend

to destroy; as they also impair our health, strength, and beauty, and expose us to infamy and contempt; stupifying the nobler parts of the soul, and making all the lower appetites outrageous and intractable.

Fortitude and all its parts are a safeguard to ourselves and our friends. Whereas by cowardice we not only quit our station of honour and virtue, but often involve ourselves in such dangers as we might easily have escaped by fortitude and presence of mind. The person void of this virtue must be in the power of others to make him what they please, by the threats of evil; even to involve him in the most impious and basest vices; which is a state of miserable servitude. If any good man is threatened with great dangers, or exposed to them even on account of his virtues; as on such occasions he is entering on the most difficult combat, encountering with our most capital adversary, pain; 'tis his business to rouse up all the forces of fortitude and patience and resignation, to recollect the sacred laws of these virtues, which prohibit any effeminate weakness, prohibit our sinking or losing spirit, or crouching under this load. Let him think with himself, now he's engaged in the most honourable combat, more glorious than the Olympics; God presides the witness, judge, and rewarder; 'tis cowardly and foolish when the prize is so glorious, to spare a life that must soon perish however, and perhaps in a more tormenting manner, by the force of some disease; a life too that does not extinguish the

foul, but shall return to us again. 'Tis by such representations made to ourselves of the honourable forms of virtue, fortitude, magnanimity, duty to God, and patient resignation, that such pains are abated, and the terrors of death in some measure taken away.

III. It was formerly observed that 'tis from God we have derived all our virtues. The philosophers therefore, as well as divines, teach us to have recourse frequently to God by ardent prayers, that, while we are exerting ourselves vigorously, he would also adorn us with these virtues, and supply us with new strength. They taught that no man ever attained true grandeur of mind without some inspiration from God. Need we add, that the very contemplation of the divine perfections, with that deep veneration which they excite, thanksgivings, praises, confessions of our sins, and prayers, not only increase our devotion and piety, but strengthen all goodness of temper and integrity. We ought therefore to have recourse to the Deity in all difficulties, trusting in his aid, with firm purposes of acting that part which is most honourable; and recall to our thoughts, what virtues this emergence gives opportunity to exercise, what furniture or armour has God and nature given us for encountering with such dangers? how joyful shall the remembrance be of our conquering such temptations, and discharging our duty well? and how shameful to be conquered by the allurements of some trifling pleasure, or the terrors of

a little pain, and thus debase ourselves by a vitious and ignominious behaviour.

'Tis not our present purpose to unfold at length all the precepts and motives to virtue. They may be found in the Greek and Roman philosophers and modern authors: in perusing whom it may be proper to collect and keep ready for our use all the more lively and affecting sentiments which occur: and let us form and settle in our minds a lively notion of the grandeur and excellence of the several virtues, so that we mayn't question but that such as are possessed of them must be the truly wise and completely happy characters. * " Such a man must be satisfied with himself, " neither pining and fretting under troubles, nor broken with any terrors, nor tormented with any impatient ardent desires, nor dissolved in trifling pleasures and joys: to him no accidents of this mortal state appear so intolerable as to sink his spirits, nor so joyful as to give him high transports. And what " is there in the pursuits of this world, and in this " short transitory life, that can appear of great consequence to a truly wise man, whose soul is so constantly upon the watch, that nothing happens to " him unforeseen or surprizing, nothing unexpected, " nothing new."

IV. Now as 'tis the grand view of the good man, that according to the intention of nature he should al-

* Cicero's Tuscul. Questions, Book IV.

ways be employed in contributing something to the general interest and happiness, which plainly requires that large numbers of mankind should be joined in an amicable society; he ought also carefully to enquire into all the rules or dictates of right reason, by which every part of life is to be regulated, and by observing which he may on his part preserve this social union among mankind: and these precepts or conclusions of right reason collected together make what we call the *Law of Nature*; which is the next branch of Moral Philosophy, of great use in the conduct of life.

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C H A P . I .

Of the LAW of NATURE.

THAT we may shew how all the several parts of life may be brought into a conformity to nature, and the better discern the several rights and duties of mankind, we shall premise the more general doctrine in morals, explaining some pretty complex notions and terms constantly occurring; and this is the subject of this and the two following chapters.

In the preceeding book we shewed, how from the very structure of our nature we derived our first notions of right and wrong, virtuous and vitious, in our affections and actions: and that it was then *right* and *just* that any person should act, possess, or demand

from others, in a certain manner, "when his doing
"so tended either directly to the common interest of
"all, or to the interest of some part or some indivi-
"dual, without occasioning any detriment to others."

And hence we say in such cases that a man *has a right*
thus to act, possess or demand: and whoever would
obstruct or hinder him thus to act or possess, or would
not comply with such demand, is said to do an *injury*
or *wrong*.

But resuming this matter a little higher; 'tis plain
that this structure of our nature exhibits clear eviden-
ces of the will of God and nature about our conduct,
requiring certain actions and prohibiting others. The
notion of a *law* to which our actions may be compa-
red, is, no doubt, *artificial*, formed upon observation:
and yet it has in all ages been so obvious and familiar
to men that it may also be called natural. For the
notion of a *just power*, or *right of governing* others,
is obviously intimated, from that power nature has in-
vested the parent with, over his children, so manifest-
ly tending to their good. And this too is known to
all by constant experience, that the bulk of mankind
don't by any nice reasonings or observation of their
own, discover what is advantageous or hurtful in life;
nay that the greater part of the practical sagacity and
wisdom of the generality depends upon the discove-
ries and instructions of a few, who have had greater
penetration and sagacity: and since 'tis commonly
known, and even the men of less sagacity acknowledge

it, that there are great diversities of genius, and that some few have superior abilities to the common herd: that moral principle implanted in all must also recommend it as advantageous to all, that large societies of men united for their common interest, should commit the administration of their common concerns to a council of a few of the wiser sort, and compell any who may thereafter be refractory to submit to their orders, who have thus obtained a just right of governing. Hence the notion of *just power*, or of a *right of governing*, is among the most common and familiar with mankind, when from the very plan and model of power constituted, there's tolerable precaution taken that the rulers shall have either no inducements to abuse it to the detriment of the whole body, or no hopes of doing so with impunity. Hence the notion of *law* too is obvious to all, to wit, "The will of those vested with just power of governing, declared to their subjects, requiring certain actions and forbidding others with denunciations of rewards or punishments."

II. Now since 'tis generally agreed among men, that the Deity is endued with the highest goodness, as well as with wisdom and power; it must obviously follow that an universal compliance with the will of God must tend both to the general good, and to that of each individual; to which compliance also we are most sacredly bound in gratitude, as we were created by him, and are constantly deriving good from his mu-

nificent hand : it must also in like manner follow, that all disobedience to the will of God must be opposite to the common felicity, and shew a base ungrateful mind. Now these considerations plainly shew that it is perfectly just and right in the Deity to assume to himself the government of his rational creatures, and that his *right* is founded upon his own *moral excellencies*.

But since no man can give sufficient evidence, to the satisfaction of all, that he is possessed even of superior wisdom, and much less of his stable inflexible goodness; since ambitious dissimulation would always make the greatest shew of goodness, if this were a sure step to ascend to power; nor can men search into each others hearts to detect such hypocrisy: and since no power generally suspected and dreaded can make a people, who are diffident of their most important interests, easy or happy; no man can justly assume to himself power over others upon any persuasion of his own superior wisdom or goodness, unless the body of the people are also persuaded of it, or consent to be subjected to such power, upon some reasonable security given them, that the power intrusted shall not be abused to their destruction.

III. AND further since it was God our Creator who implanted this sense of right and wrong in our souls, and gave us these powers of reason, which observing our own constitution, and that of persons and other things around us, discovers what conduct tends either

to the common prosperity of all, or that of individuals, and what has a contrary tendency; and shews also that all sorts of kind offices generally tend to the happiness of the person who discharges them, and the contrary offices to his detriment: all these precepts or practical dictates of *right reason* are plainly so many *laws**, enacted, ratified by penalties, and promulgated by God in the very constitution of nature. [As words or writing are not essential to the nature of a law, but only the most convenient way of notifying it.]

In every law there are two parts, the *precept* and the *sanction*. The precept shews what is required or forbidden; and the sanctions contain the rewards or punishments abiding the subjects, as they observe or violate the precept. In civil laws, beside the peculiar rewards or *premiums* proposed in some of them, there is this general reward understood in them all, that by obedience we obtain the defence and protection of the state, with the other common advantages of a civilized life, and the rights of citizens. The penalties of human laws are generally expressed. The sanctions of the law of nature are known and promulgated in like manner with the preceptive part. The *rewards* are all those internal joys and comfortable hopes which naturally attend a virtuous course; and all these external advantages whether immediately arising from good actions, or generally obtained by

* On this subject see Cumberland's *Prolegomena*, or introduction, and Ch. i. Concerning the law of nature.

the good-will and approbation of others, or of the Deity, whether in this life or in a future state. The *penalties* are all those evils internal or external, which naturally ensue upon vice; such as remorse, solicitude, and distressing fears and dangers: in fine, all these evils which right reason shews may probably be expected to ensue through the just resentment of the Deity or of our fellow-creatures.

IV. THE divine laws according to the different manners of promulgation are either *natural* or *positive*. *Natural* laws are discovered by our reason observing the natures of things. *Positive* laws are revealed only by words or writing. Laws may again be divided according to the matter of them into the *necessary* and the *not-necessary*. Every sort of law indeed should have in view some real benefit to the state: but some laws point out the sole and necessary means of obtaining some great benefit, or of averting some great evil; so that contrary or even different laws could not answer the necessary purposes of society: while others only fix upon the most convenient means, where many others might have tolerably answered the end; or, where there's a variety of means equally apposite, yet fix upon one set of them, when 'tis necessary that multitudes should agree in using the same means. Such is the case in appointing *set times* and *places*, and other *circumstances*, where matters of common concern are to be transacted jointly by many. These latter sorts of laws are also called *pe-*

sitive as to their matter, and the former *natural*, in the same respect.

V. *LAWs* generally respect alike a whole people, or at least all of a certain class or order; this holds as to all natural laws. But sometimes civil laws are made in singular cases, respecting only one person; these the Romans called *privilegia*; which were either out of singular favour, or singular resentment. If such *privileges* are granted for extraordinary merits, and have no pernicious tendency toward the body, they are very justifiable. Cases may happen too, tho' seldom, in which it may be just to bring to punishment some very artful dangerous criminal by a special law, which is not to be made a precedent in the ordinary procedure of justice.

Equity is sometimes understood as something distinct from *strict law*, being "the reasonable wise correction of any imperfection in the words of the law, by their being either not sufficiently extended, or too extensive in regard to the true reason or design of the law." This equity has place only as to laws promulgated in words; for the law of nature determines all points, not by words, but by right reason, and what is humane and good.

VI. The doctrine of *dispensations* was brought in by the Canon-law. A dispensation is "the exempting one out of special favour from the obligation of a law." Dispensations are either from the preceptive part, or from the sanction, in remitting the penalty.

Where the penalty is remitted or altered in such a manner as consists with the common safety, and does not weaken the authority and influence of the law, it is not to be blamed. Such a dispensing power for singular important reasons is frequently vested in the supreme rulers or magistrates of states. But for previous exemptions from the preceptive part of any wise law they can never be reasonable.

But first, we don't count it a dispensation when any one, using his own right and the ordinary power vested in him by law, frees another from some legal obligation, or imposes a new one. As when a creditor remits a debt; or the supreme governor commissions subjects to act in his name what he has a right to execute, tho' without such commission these subjects had acted illegally in doing so.

Again, sometimes by laws, whether divine or human, an external impunity may be justly and wisely granted to such conduct as is very vicious and culpable; if either through the stupidity or depravity of the people such vices could not be restrained without much greater inconvenience than what arises from the permission of them. But this comes not up to the notion of dispensation.

But in the third place, no grant or permission of any governor, human or divine, can make evil malevolent affections become morally good or innocent, or benevolent ones become evil: nor can the moral nature of actions flowing from them be any more al-

tered by mere command or permission. The *dispensations* therefore, the *Canonists* intend, are then only justifiable, when the laws themselves are bad or imprudent, of which the Canon-law contains a great multitude.

VII. THE *Law of Nature* as it denotes a large collection of precepts is commonly divided into the *primary* and *secondary*; the former they suppose immutable, the latter mutable. This division is of no use as some explain it, * that the primary consists of self-evident propositions, and the secondary of such as require reasoning. Many of those they count primary require reasoning: nor are just conclusions more mutable than the self-evident premises. The only useful sense of this distinction is, when such precepts as are absolutely necessary to any tolerable social state are called the *primary*; and such as are not of such necessity, but tend to some considerable improvement or ornament of life are called *secondary*. But these latter in the sight of God and our own consciences are not mutable, nor can be transgressed without a crime, more than the primary; altho' there may be many political constitutions where the violation of these secondary precepts passes with impunity.

From the doctrine of the former book it must appear, that all our duties, as they are conceived to be

* See *Vinnius's* comment on the *Instit.* lib. i. 2. 11. The same distinction is variously explained by other authors; but scarce any of them so explain it as to make it of importance.

enjoined by some divine precept, are included in these two general laws, the one that "God is to be worshipped with all love and veneration:" and in consequence of it, that "he is to be obeyed in all things."

The second is, that "we ought to promote as we have opportunity the common good of all, and that of particular societies or persons, while it no way obstructs the common good, or that of greater societies."

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C H A P. II.

*Of the NATURE of RIGHTS, and their several
DIVISIONS.*

SINCE it is manifestly necessary to the common interest of all, that large numbers of men should be joined together in amicable societies, and as this is the sum of all our duties toward men that we promote their happiness as we have opportunity; it must follow that all actions by which any one procures to himself or his friends any advantage, while he obstructs no advantage of others, must be lawful: since he who profits one part without hurting any other plainly profits the whole. Now since there are many enjoyments and advantages naturally desired by all, which one may procure to himself, his family or friends, without hurting others, and which 'tis plainly the interest of society that each one should be allowed to procure, without any obstruction from others, (since otherways no friendly, peaceable society could be maintained :) we therefore deem that each man has a *right* to procure and obtain for himself or his friends such advantages and enjoyments; which right is plainly established and secured to him by the second general precept above mentioned, enjoining and confirming whatever tends to the general good of all, or to the good of any part without detriment to the rest. In all such

cases therefore men are said to act according to their *right*. And then, as the several offices due to others are recommended to us by the sense of our own hearts; so others in a social life have a claim to them, and both desire, and naturally or justly expect them from us, as some way due to them: in consequence of this it must appear, that the several rules of duty, or special laws of nature, cannot be delivered in a more easy manner than by considering all the several *claims* or *rights* competent either to individuals, to societies, or to mankind in general as a great body or society; all which are the matter of some special laws.

The several rights of mankind are therefore first made known, by the natural feelings of their hearts, and their natural desires, pursuing such things as tend to the good of each individual or those dependent on him: and recommending to all certain virtuous offices. But all such inclinations or desires are to be regulated by right reason, with a view to the general good of all.

Thus we have the notion of *rights* as moral qualities, or *faculties*, granted by the law of nature to certain persons. We have already sufficiently explained how these notions of our *rights* arise from that *moral sense* of right and wrong, natural to us, previous to any consideration of law or command. But when we have ascended to the notion of a divine natural law, requiring whatever tends to the general good, and containing all these practical dictates of right

reason, our definitions of moral qualities may be abridged by referring them to a law; and yet they will be of the same import; if we still remember that the grand aim of the law of nature is the general good of all, and of every part as far as the general interest allows it.

A right therefore may be defined "a faculty or claim established by law to act, or possess, or obtain something from others;" tho' the primary notion of right is prior to that of a law, nor does it always include a reference to the most extensive interest of the whole of mankind. For by our natural sense of right and wrong, and our sympathy with others, we immediately approve any persons procuring to himself or his friends any advantages which are not hurtful to others, without any thought either about a law or the general interest of all. For as the general happiness is the result of the happiness of individuals; and God has for the benefit of each individual, and of families, implanted in each one his private appetites and desires, with some tender natural affections in these narrower systems: actions flowing from them are therefore naturally approved, or at least deemed innocent, and that immediately for themselves, unless they should appear hurtful to others, or opposite to some nobler affection. Hence every one is conceived to have a *right* to act or claim whatever does no hurt to others, and naturally tends to his own advantage, or to that of persons dear to him.

And yet this we must still maintain, that no private right can hold against the general interest of all. For a regard to the most extensive advantage of the whole system ought to controll and limit all the rights of individuals or of particular societies.

II. Now since a friendly society with others, and a mutual intercourse of offices, and the joint aids of many, are absolutely necessary not only to the pleasure and convenience of human life, but even to the preservation of it; which is so obvious * that we need not reason upon it. Whatever appears necessary for preserving an amicable society among men must necessarily be enjoined by the Law of Nature. And in whatever circumstances the maintaining of peace in society requires, that certain actions, possessions, or claims should be left free and undisturbed to any one, he is justly deemed to have a *right* so to act, possess, or claim from others. As some law answers to each right, so does an *obligation*. This word has two senses, 1. We are said to be *obliged* to act, or perform to others, "when the inward sense and conscience of each one must approve such action or performance, and must condemn the contrary as vicious and base:" in like manner we conceive an obligation to omit or abstain. This sort of obligation is conceived previous to any thought of the injunction of a law. 2. Obligation is sometimes taken for "a motive of interest su-

* See Cicero's Offices, B. ii. 3. 4. 5. &c.

“ prior to all motives on the other side, proposed to induce us to certain actions or performances, or omissions of action.” Such motives indeed must arise from the laws of an omnipotent being. This latter meaning seems chiefly intended in these metaphorical definitions of great authors, who would have all obligation to arise from the law of a superior, * “ a bond of right binding us by a necessity of acting or abstaining” or an “ absolute necessity imposed upon a man, to act in a certain manner.”

III. RIGHTS according as they are more or less necessary to the preservation of a social life are divided into *perfect* and *imperfect*. Perfect rights are of such necessity that a general allowing them to be violated must entirely destroy all society: and therefore such rights ought to be maintained to all even by violence: and the severest punishments inflicted upon the violation of them.

Imperfect rights or claims are sometimes indeed of the greatest consequence to the happiness and ornament of society, and our obligation to maintain them, and to perform to others what they thus claim, may be very sacred: yet they are of such a nature that greater evils would ensue in society from making them

* These are the definitions of Puffendorf, and of Barbeyrac in his notes on Grotius, as also in his animadversions on a *Censure upon Puffendorf*, ascribed commonly to Mr. Leibnitz, published with the French translation of the book *de Officio Hominis et Civis*.

matters of compulsion, than from leaving them free to each one's honour and conscience to comply with them or not. 'Tis by a conscientious regard to these imperfect rights or claims of others, which are not matters of compulsion, that virtuous men have an occasion of displaying their virtues, and obtaining the esteem and love of others.

Yet the boundaries between perfect and imperfect rights are not always easily seen. There is a sort of scale or gradual ascent, through several almost insensible steps, from the lowest and weakest claims of humanity to those of higher and more sacred obligation, till we arrive at some imperfect rights so strong that they can scarce be distinguished from the perfect, according to the variety of bonds among mankind, and the various degrees of merit, and claims upon each other. Any innocent person may have some claim upon us for certain offices of humanity. But our fellow-citizen or neighbour would have a stronger claim in the like case. A friend, a benefactor, a brother, or a parent would have still a stronger claim, even in these things which we reckon matters of imperfect obligation.

There's also a third kind of right, or rather an external shew of it, which some call an *external right*: when some more remote considerations of distant utility require that men should not be restrained in certain actions, enjoyments; or demands upon others, which yet are not consistent with a good conscience,

or good moral dispositions. These external shews of right, which will never satisfy a good man as a foundation of conduct, often arise from imprudent contracts rashly entered into by one of the parties, and often even from the wisest civil laws.

'Tis plain here, that there can be no opposition either between two perfect rights or two imperfect ones. But imperfect rights may be contrary to these called external. Since however the imperfect rights are not matters of just force or compulsion; wars, which are violent prosecutions or defences of some alledged rights, cannot be just on both sides.

IV. RIGHTS are also divided into the *alienable*, and such as *cannot be alienated* or transferred. These are alienable, where the transfer can actually be made, and where some interest of society may often require that they should be transferred from one to another. Unless both these qualities concur, the right is to be deemed unalienable. 'Tis plain therefore, for instance, that for defect of both these qualities, our opinions in matters of religion are unalienable; and so are our internal affections of devotion; and therefore neither of them can be matters of commerce, contract, or human laws. No man can avoid judging according to the evidence which appears to him; nor can any interest of society require one to profess hypocritically contrary to his inward sentiments; or to join in any external worship which he judges foolish or impious, and without the suitable affections.

From the general account given of the nature of right, these must be the two fundamental precepts of a social life; first, that "no man hurt another" or occasion any loss or pain to another which is neither necessary nor subservient to any superior interest of society. The second is "that each one on his part, "as he has opportunity, should contribute toward the "general interest of society;" at least by contributing toward the interest of his friends or family. And he who innocently profits a part, contributes also in fact to the good of the whole.

C H A P. III.

Concerning the VARIOUS DEGREES of VIRTUE and VICE, and the Circumstances on which they depend.

THAT inward power called *Conscience*, so much talked of, is either this very moral sense or faculty we have explained, or includes it as its most essential part; since without this sense we could discern no moral qualities. But when this is presupposed, our reason will shew what external actions are laudable or censurable according as they evidence good or evil affections of soul. *Conscience* is commonly defined to be “a man’s judgment concerning the morality of his actions;” or his judgment about his actions as to their conformity or contrariety to the law. And an action is then said to be *imputable*, when by its proceeding from his will it evidences his temper and affections to be virtuous or vitious.

The common divisions of conscience, into *certain*, *probable*, *doubtful*, or *scrupulous*, need no explication. When we deliberate about our future actions ’tis called *antecedent*: when we judge of past actions, ’tis called *subsequent conscience*.

The antecedent conscience of a good man, or his previous deliberations, turn upon the tendencies of actions to the general good of all, or to the innocent enjoyments of individuals, or of parts of this system:

and this tendency makes an action *materially good*. For actions are called good *materially*, by their having this tendency, or their being required by the law, whatever were the motives or views of the agent. The *subsequent conscience* regards chiefly the motives, design, and intention, on which depends what is called *formal goodness*. For such actions are called formally good as agree with the law in all respects, and flow from good affections.

II. THE circumstances regarded in comparing the morality of actions are of three sorts, as they relate either to the *understanding*, or to the *will*, or to the *importance* of the action itself considered along with the abilities of the agent.

But here 'tis previously certain, that such actions alone are matter of praise or censure, or can be *imputed*, which are done with knowledge and intention, and which had not happened if we had seriously resolved against them. And that in like manner no omission can be imputed where the most hearty inclination would have been without effect. Such actions or omissions are called *free* or voluntary; and such alone carry any evidence of the goodness or depravity of the temper. Necessary events therefore, which would happen even without our knowledge, or against our will, are no matter of imputation; nor is the omission of an impossibility, which no desire of ours could have accomplished, any matter of imputation. But this is not the case with such actions as are only

called necessary on this account, that the agent's inclination and turn of temper that way, or his passions, were so strong, that during that temper of his he could not will otherways. Nor is it the case in omissions of such actions as are therefore only called impossible, because such was the person's depravity of temper that he could have no inclination to them. Virtue and vice are primarily seated in the temper and affections themselves; and 'tis generally in our own power in a considerable degree to form and alter our tempers and inclinations.

There are three classes of actions called involuntary, to wit, such as we are compelled to by superior *external force*; such as we do *ignorantly*; and such as are called *mixed*, when we do what of itself is very disagreeable in order to avoid some greater evil. What men are driven to by external force is imputable only to him who uses the violence. What is done through ignorance is imputed differently according as the ignorance is culpable or not. But the actions called *mixed* are all imputed, as they are truly free, and proceed from the will: but they are imputed as innocent or as criminal, according as the evil avoided was in its whole effect greater or less than the evil done to avoid it. Now moral evils, and such as hurt the common interest, are greater than the natural evils, and such as hurt only the agent.

III. As to the circumstances relating to the understanding: altho' all moral virtue and vice is pri-

marily seated in the will, yet frequently our ignorance or error about the nature of the things we are employed about may affect the morality of actions. And altho' the best of men must intend what is in fact evil, if it appear to them to be good; yet such mistakes are frequently blameable, if the error or ignorance was any way voluntary, and what could have been avoided by such diligence as good men commonly use in such cases. That ignorance indeed which is wholly involuntary and *invincible* excuses from all blame.

Voluntary or vincible ignorance is either *affected*, when men directly design to avoid knowing the truth with some apprehensions of it: or what arises from gross *negligence* or sloth; when men have little solicitude about their duty, and take little thought about their conduct. The former no way diminishes the guilt of the action. The latter may be some alleviation of guilt, and that more or less, according as the sloth was greater or less, or the discovery of the truth was more or less difficult.

Ignorance truly involuntary is so either *in itself but not in its cause*, or it is involuntary in both respects. The former is the case when at present, and in the midst of action, men cannot discover the truth, tho' they earnestly desire it; but had they formerly used the diligence required of good men they might have known it. The latter is the case when no prior culpable negligence occasioned our ignorance: and this sort excuses altogether from guilt, but not the former,

There is indeed no moral turpitude at present shewn by a man's acting what at present appears to him to be good; but ignorance or error, tho' at present invincible, may be a strong evidence of a prior culpable negligence, which may discover a depravity of temper.

Ignorance is either about matter *of law* or matter *of fact*. This division takes place chiefly in positive laws: for in the law of nature if the fact, or natural tendency and consequents of actions, beneficial or pernicious to society, are known, this itself makes the laws known.

IV. FROM these principles we may answer the chief questions about an erroneous conscience. 1. Error or ignorance of the law of nature is generally culpable; but in very various degrees, according to the different degrees of natural sagacity in men, and their different opportunities of information and inquiry, and as the laws themselves are more or less easy to be discovered.

2. To counteract conscience in doing what we deem virtuous, or in omitting what we take to be our duty, must always be evil; as it shews such depravation of the temper that a sense of duty is not the ruling principle. But this guilt too is of very different degrees, according to the sanctity of the several duties omitted, or the turpitude of crimes we commit; and the different sorts of motives, more or less favourable, which excited us to this conduct. For sometimes 'tis only

the terror of the most formidable evils which almost enforce us, sometimes lovely principles of friendship, gratitude, filial duty, parental affection, or even love of a country, which induce us to act against our consciences; now in such cases the guilt is considerably alleviated.

3. In following an erroneous conscience, the guilt consists not in thus following it, or doing what we deem to be our duty; but it lies rather in something culpable in the error itself, or in the causes of it, and this in various degrees. For some errors of themselves shew a base temper, influenced directly by malice, pride, or cruelty: others shew only negligence and inattention, or that the nobler affections of heart are too weak.

4. 'Tis generally true that counteracting even an erroneous conscience is worse than following it. In both cases the guilt of the error is equal; and he who counteracts his conscience shews also a new contempt of the divine law. And yet where some of the more humane and lovely dispositions carry it against the commands of an erroneous conscience, guided rather by authority, and some confused notions of duty, than any distinct view of moral excellence in what it commands, the disobeying it may be a better sign of the temper than following its dictates. As in the case of one who deems it his duty to persecute for religion, and yet is restrained from it by humanity and compassion.

V. THE circumstances affecting the morality of actions which relate to the will must appear from what was said above; that all kind affections of soul are amiable, and the contrary vitious; as is also excessive self-love, and a keen desire of sensual pleasures; that the calm stable affections of a friendly sort are more lovely, than the turbulent passions; and that the more extensive are the more honourable.

1. Such duties therefore as are done deliberately, and from steady purpose of heart, are more lovely than those which proceed from some sudden gusts of kind passions.

2. And in like manner such injuries as are done deliberately and with premeditation, or from inveterate ill-will, are much worse than those which arise from sudden anger, fear, or some passionate bent toward pleasure.

As to all motions of anger and fear, which aim at the repelling some impendent evil, we may observe; that as the first step, and most necessary one, toward happiness and ease, is the warding off of pain, and the first office of virtue is the avoiding vice; the passions of *aversion from evil* are naturally stronger in their kind, than those pursuing positive good; and as 'tis harder to resist their impulses, they are greater alleviations of guilt, in vitious actions, tho' none of them can wholly take it away; since it is always in one's power, who has an hearty concern about virtue, and sets himself to it, to restrain these passions in a great

measure, and prevent their breaking out into external actions.

3. We cannot expect the same degrees of beneficence, or a like extent of it, in all equally good characters, considering the different tempers of men, their different abilities, opportunities, leisure, or hurry of business.

4. There are great differences in point of moral excellence among the several narrower sorts of kind affections, according to their different springs or causes, some of which are far more honourable than others. That good-will which arises from some conjunctions of interest, so that we wish well to others only for our own interest arising from their prosperity, tho' it may be free from any moral turpitude, yet has nothing morally amiable; since such affection may be found in the worst of men, and may have the worst for its object: nor is there much moral beauty in the affections merely founded on the ties of blood, or in the passions of lovers. These motions are generally turbulent and are all of a narrower kind: and such is the constitution of our nature, that they are often found among such as shew scarce any other virtues. And yet the want of such affections in such relations, would shew a great depravity. That heart must be singularly hard and insensible to kind affections which cannot be moved to them by these strong natural causes.

There is an higher moral beauty in that good-

will and gratitude which arises from benefits received, where it is truly sincere, without any shew or ostentation designed to obtain further favours. In a like class we may reckon pity and compassion, with a desire of giving relief to the distressed. And yet these two are of a narrower nature: and such is the frame of the human heart, so strong are these impulses, that none but monsters are void of all degrees of such affections. In the common offices of these kinds there's no eminent virtue; but in neglecting or omitting them, contrary to such strong natural impulses, there must be evidenced great depravation.

That love arising from a conformity of virtuous dispositions, which we call friendship, is far more lovely: as it shews an high relish for moral excellence, and an affection which would extend to many in a considerable degree, if like virtues appeared in them. A strong love for one's country, is yet more excellent. But of all social affections that is most amiable, which, conjoined with wisdom, is stedfastly set on promoting the most extensive happiness of all mankind, and doing good to each one as there is opportunity.

And yet the common interest of the whole, which both the nobler desires of the soul, and our moral sense chiefly recommend to our care, plainly requires that each one should more peculiarly employ his activity for the interest of such whom the stronger ties of nature have peculiarly recommended, or entrusted to his care, as far as their interests consist with the general

good, and that his ordinary occupations should be destined for their benefit. The bulk of mankind have no ability or opportunity of promoting the general interest any other more immediate way.

VI. THESE seem to be general rules of estimation in this matter. The stronger that the natural impulse is in any narrower ties of affection, the less there is of moral beauty in performing any supposed offices; and the greater is the moral deformity of omitting them. The stronger the moral obligation is to any performance, or the *right* by which others claim it, the less laudable is the performance, and the more censurable and injurious is the omission or refusal of it. And the weaker the *right* or claim of others is, 'tis the less vitious to have omitted or refused any office, and 'tis the more honourable to have readily performed it; provided we shew a readiness proportionably greater in performing such offices as others have a more sacred claim to.

In comparing vitious actions or designs, other circumstances being equal, the turpitude is the less, the greater or the more specious the motives were which induced us to it. To have violated the laws of universal justice out of zeal for our country, or to have neglected the interest of our country from zeal for our friends, or from gratitude to our benefactors, is not so base and deformed, as if one had neglected or counteracted these more extensive interests for his own

gain, or for any sensual gratification; this last excuse is indeed the meanest of all.

As far as any views of one's own advantage have excited a man to such actions as are in their own nature good, so far the moral beauty is abated: and when there was no other affection moving him, there remains no moral beauty, tho' the action may still be innocent, or void of any vice.

Where any such views of interest as must exceedingly move even the best of men, have excited one to what is culpable, the moral turpitude is diminished on that account. The passions excited by the present apprehension of some great evil make a much greater impression upon the best of men, than such as arise from prospects of any new advantages or pleasures; and therefore they are much stronger alleviations of guilt. Keen selfishness, or love of pleasures, are of themselves dishonourable; and shew that the meaner parts of the soul have usurped a base tyranny over its nobler faculties.

The honourable offices we undertake, if they are expensive, toilsome, or dangerous to ourselves, they are on this account the more honourable. And yet since the grand aim of the good man is the promoting the publick good, and not the pleasing himself with an high admiration of his own virtues; he must also endeavour to fortify his soul, as much as he can, to surmount all allurements or temptations tending a contrary way: and this is most effectually done by a deep

persuasion that a perfectly just and wise Providence governs the world, will take care of the interests of the virtuous; and that the only path to an happy immortality is by virtue: the good man therefore will be far from excluding out of his counsels these glorious hopes, nay he will cherish and confirm them; that he may thus become the more inflexible and steady in every virtuous design.

VII. As to the *importance* of actions and the *abilities* of the agents, these general rules seem to hold.

1. That, other circumstances being equal, the moral goodness of actions is proportioned to their importance to the common interest, which the agent had in view.

2. When other circumstances are equal, the virtue of an action is *inversely* as the abilities of the agent: that is, when the importance of two actions is equal, he shews the greater virtue who with smaller abilities, equals the more potent in his beneficence.

3. The like observations hold about the vice of evil actions, that it is *directly* as their importance to the public detriment foreseen, and *inversely* as the abilities of the agents: or that these are worst which have the worst tendency; or which undertaken by persons of little power, shew that they have maliciously exerted all their force in doing mischief.

4. In estimating the importance of actions, we must take in that whole series of events, which might have been foreseen to ensue upon them, and which without these actions would not have happened; whether

these events be the natural direct effects of the actions, or happened by the intervention of other agents, who by these actions have been provoked or incited to take certain measures. For every good man will consider all that may ensue upon any steps he takes; and will avoid doing any thing contrary to the common utility, or which may without necessity give an occasion or temptation to any public detriment, either more or less extensive.

As to the events or effects of actions, this holds; that any public advantage ensuing, tho' it had been foreseen, yet if it was not intended and desired, adds nothing to the virtue of the action, nor is it matter of praise; as it shews no goodness of temper. But public detriment which might have been foreseen, tho' it was not directly desired, nor perhaps actually foreseen, may add to the moral turpitude. Because that even a negligence and unconcernedness about the public interest is of itself vicious, shewing either an entire want, or a great defect in goodness of temper.

5. But we must not pronounce every action to be evil from which some evil consequences were foreseen to ensue; unless these evils were directly desired for themselves. The consequences of most external actions are of a mixed nature, some good, some bad. There's no course of life which has not its own advantages and disadvantages; all which are indeed to come into computation. These actions therefore alone are good, on account of their importance, whose good

consequences foreseen overbalance their evil consequences; and when the good could not have been obtained without these or equal evils: and those actions are evil in this respect, where the evil consequences overbalance all the good; or where the good might have been obtained without such evils, or with a smaller degree of them.

6. But in the sight of God and conscience these events are imputed not as they actually happen, but according as there was a probable prospect that they might happen. For the moral good and evil consists not in the external events, but in the affections and purposes of the soul. And hence two persons may be equal in guilt, tho' one of them, restrained by accident or the prudence of others, has done no damage, and the other has done a great deal. And he is equally laudable who has made noble attempts, to the utmost of his power, tho' unsuccessfully, with those to whom all things have succeeded according to their wishes.

VIII. AMONGST the circumstances which affect both the will and the abilities of the agents, may be reckoned *custom* and *habit*: which tho' they rather abate than increase the pleasure of particular enjoyments, yet increase the regret and uneasiness in the want of what we have been inured to, make us more inclined to pursue like enjoyments, and give us greater facility and readiness in any course of action. As the acquiring of such habits was voluntary, so it still

remains in our power to abate their force or take them away altogether by cautious abstinence or frequent intermission of such actions and enjoyments. However therefore an habit of virtue, making each office less difficult, may seem to abate a little of the excellence of each particular office, yet it plainly adds to the beauty and excellence of the character: and on the other hand habits of vice, however they may a little abate the deformity of each particular vicious action, yet plainly shew the character to be the more deformed and odious.

Sometimes it may happen that one is justly praised on account of the good actions of other men, nay that even the desirable effects of natural inanimate causes are imputed to him as honourable, when by some honourable actions of his own he has contributed to these events. And in like manner the damages or injuries immediately done by other men or inanimate causes, are imputed as crimes, when one has occasioned them by any action or omission contrary to his duty.

C H A P. IV.

Concerning the NATURAL RIGHTS of INDIVIDUALS.

WE have already shewn that the several duties of life may be naturally explained by explaining the several *rights* belonging to men, and the corresponding obligations, in all the several states and relations they stand in to each other. By a *state* we understand "some permanent condition one is placed in, as it includes a series of rights and obligations." Our state is either that of the *freedom in which nature placed us*; or an *adventitious* state, introduced by some human acts or institution.

The state of *natural liberty*, is "that of those who are subjected to no human power:" which plainly obtained at first in the world, among persons adult and exempt from the parental power. This state too must always subsist among some persons, at least among the sovereign princes of independent states, or among the states themselves, with respect to each other.

The character of any state is to be taken from the rights and laws which are in force in it, and not from what men may do injuriously contrary to the laws. 'Tis plain therefore from the preceeding account of our nature and its laws, that the state of nature is that of peace and good-will, of innocence and beneficence, and not of violence, war, and rapine: as both

the immediate sense of duty in our hearts, and the rational considerations of interest must suggest to us*.

For let us observe what's very obvious, that without society with a good many of our fellows, their mutual aids, and an intercourse of friendly offices, mankind could neither be brought to life or preserved in it; much less could they obtain any tolerably convenient or pleasant condition of life. 'Tis plain too that no one has such strength that he could promise to himself to conquer all such as he may desire to wrong or spoil, and all such enemies as he may raise up against himself by an injurious course of life; since an honest indignation at wrongs will make many more enemies to him than those he immediately injures: and there are few who won't find considerable strength to avenge themselves or their neighbours, when they have conceived a just indignation. And then men have it generally in their power much more certainly and effectually to make others uneasy and miserable, than to make others easy and happy. External prosperity requires a perfectly right state of the body, and all its tender and delicate parts, many of which may be disturbed and destroyed by very small forces; it requires also a considerable variety of external things, which may be easily damaged, taken away, or destroyed. A just consideration of this infirm, uncertain condition of

* This suffices to overturn the fallacious reasonings of Hobs upon the state of nature as a state of war of all against all.

mankind, so that their prosperity may so easily be disturbed, must engage every wise man rather to cultivate peace and friendship with all, as far as possible, than to provoke any by unnecessary enmity or injury.

II. THE rights of men according as they immediately and principally regard either the benefit of some *individual*, or that of some *society* or body of people, or of *mankind* in general as a great community, are divided into *private*, *public*, and *common to all*. The *private* rights of individuals are pointed out by their senses and natural appetites, recommending and pursuing such things as tend to their happiness: and our moral faculty or conscience shews us, that each one should be allowed full liberty to procure what may be for his own innocent advantage or pleasure, nay that we should maintain and defend it to him.

To discover therefore these *private rights* we should first attend to the several natural principles or appetites in men, * and then turn our views toward the general interests of society, and of all around them: that where we find no obstruction to the happiness of others, or to the common good thence ensuing; we should deem it the *right* of each individual to do, possess, or demand and obtain from others, whatever may tend to his own innocent advantage or pleasure.

Private rights are either *natural* or *adventitious*.

* See Grotius de Jure Belli, &c. I. c. 2. 1. See also Sect. 1. of the preceeding chapter.

The former sort, nature itself has given to each one, without any human grant or institution. The adventitious depend upon some human deed or institution.

III. THE private natural rights are either *perfect* or *imperfect*. Of the perfect kind these are the chief.

1. A right to life, and to retain their bodies unmaimed. 2. A right to preserve their chastity. 3. A right to an unblemished character for common honesty, so as not to be deemed unfit for human society. 4. A right of liberty, or of acting according to one's own judgment and inclination within the bounds of the law of nature. 5. A right over life, so far that each one, in any honourable services to society or his friends, may expose himself not only to dangers, but to certain death, when such public good is in view as overbalances the value of his life. This our conscience, or moral sense, and love of virtue will strongly recommend to us in many cases. 6. There's also a sense deeply infix'd by nature, of each one's *right of private judgment*, or of judging for himself in all matters of duty, especially as to religion; for a base judgment or opinion cannot of itself be injurious to others: and 'tis plain no man can without guilt counteract his own conscience; nor can there be any virtue in dissimulation or hypocrisy, but generally there's great guilt in it. Our sentiments therefore about religion and virtue cannot be matter of commerce or contract, so as to give others a right over them. Such commerce is no way requisite for any good in society; nor is it in

one's power to judge or think as another shall command him. All engagements or contracts of this kind are null and void. Suppose one has judged amiss and has false opinions: yet while he injures no man, he is using his own *external right*; that is, tho' he acts amiss, yet much greater evils would ensue if any power were vested in others to compel him by penalties or threatnings of tortures, either to a change of his sentiments, or to a profession of it.

Each one also has a natural right to the use of such things as nature intended to remain common to all; that he should have the same access with others, by the like means, to acquire adventitious rights; and that he should find equal treatment with his equals. Men have likewise rights to marriage with such as are willing to inter-marry with them, provided they be under no prior bonds of marriage, or hindered by any other just impediment: nor can any third person or society which has not acquired any just power over the parties, pretend a right to obstruct their designs of inter-marriage; or to hinder any who are not their subjects from entering into any other innocent associations or commerce of any kind for their own behoof.

The sense of every one's heart, and the common natural principles, shew that each one has these perfect rights; nor without maintaining them can there be any social life: so that they are also confirmed by considerations of common utility, and our more extensive affections.

IV. IN this respect all men are originally *equal*, that these natural rights equally belong to all, at least as soon as they come to the mature use of reason; and they are equally confirmed to all by the law of nature, which requires that we should consult the interest of each individual as far as the common utility will allow; and maintain to the feeble and weak their small acquisitions or advantages, as well as their greater acquisitions or advantages to the ingenious and active. For 'tis plainly for the common good, that no mortal endued with reason and forethought should without his own consent, or crime, be subjected to the will of his fellow, without regard to his own interest, except in some rare cases, that the interest of a society may make it necessary. None of mankind are so stupid and thoughtless about their own interests, as not to count it next to death to have themselves and all that's dear to them, subjected to another's pleasure or caprice, and thus exposed to the greatest contumelies. Nature makes none masters, none slaves: and yet the wiser and better sort of men have many imperfect rights superior to those of others, and superior offices and services of humanity are due to them.

But as nature has set no obvious or acknowledged marks of superior wisdom and goodness upon any of mankind; and often weak men may have high notions of their own wisdom; and the worst of men may make the greatest shews of goodness, which their fellows cannot discover to be hypocritical; 'tis plain that

no pretences of superior wisdom or goodness will justify a man in his assuming power over others without their own consent; this would be plainly everfive of the common interest, and the source of perpetual wars.

V. To every imperfect right of individuals there answers a like *obligation* or duty which our conscience plainly enjoins, and in some cases most sacredly. These are the chief imperfect rights: each one may justly claim such offices as are profitable to him, and no burden or expence to the performer. Nay every innocent person has a right to such offices of others, as are of high advantage to him, and of small burden or expence to the performers. This is particularly the case of men under great calamities, needing the charitable aids of others. Men of eminent characters, tho' under no calamity, have a right to some higher offices from others, as particularly to their friendly suffrages for their advantage or promotion. Each one whose vices have not made him infamous has a right to be admitted on equitable terms into any societies civil or religious, which are instituted in his neighbourhood, for his more convenient subsistence, or his improvement in piety. And lastly each one, who has not forfeited by some crime, has a right to be treated on an equal footing of humanity with his equals, and with others in proportion to their merits.

VI. CONCERNING beneficence and liberality, these general maxims are evident, * that the importance of

* This is taken from *Cicero de Officiis* Lib. I. 14, 15, &c.

any benefit to the receiver, is proportioned jointly to the quantity of the benefit and his indigence: and that benefits are less burdensome to the giver the smaller their value is and the greater his wealth. Hence liberality may be exceedingly advantageous in many cases to him that receives it, and yet of small or no burden to the giver.

Beneficence, which is peculiarly becoming a good man, and eminently displays the goodness of his heart, ought to be practised with these cautions; first, that it don't hurt the persons it is employed about or the community. 2dly, That it be proportioned to our fortunes, so as not to exhaust its own fountain. 3dly, That it be proportioned to the merits or claims of others. Among these claims we regard, first, the moral characters of the objects, and next their kind affections towards us, and thirdly the social intercourses we have had with them, and lastly the good offices we formerly received from them. None of these considerations are to be neglected, and least of all the last one; since there's no obligation more sacred than that of gratitude, none more useful in life; nor is any vice more odious than ingratitude, or more hurtful in society. When therefore in certain cases we cannot exercise all the beneficence we desire, offices of gratitude should take place of other offices of liberality.

C H A P. V.

*Of REAL ADVENTITIOUS RIGHTS, and
PROPERTY.*

THE adventitious rights constituted by some human deed or institution are either *real* or *personal*. The real terminate upon some certain definite goods: the personal terminate upon some person, not peculiarly respecting one part of his goods more than any other.

The principal real right is *property*; the spring of which is this, First the external senses and appetites of men naturally lead to the use of external things: and the like senses in brute animals (who have no superior faculties which could controll these senses and appetites) lead to the same: this sufficiently shews that God has graciously created things inanimate for the use of animal-life: now man is plainly the chief animal in this earth. Reflection confirms the same; since all these curious vegetable forms must soon perish of their own accord, and therefore could be intended for no other use, so worthy of the divine goodness, as that of supporting animal life agreeably, and chiefly human life.

II. THERE's indeed implanted in men a natural kindness and sense of pity, extending even to the brutes, which should restrain them from any cruelty

toward them which is not necessary to prevent some misery of mankind, toward whom we must still have a much higher compassion. But men must soon discern, as they increase in numbers, that their lives must be exceedingly toilsome and uneasy unless they are assisted by the beasts fitted for labour. They must also see that such beasts of the gentler kinds and easily tameable, whose services men need most, cannot be preserved without the provident care of men; but must perish by hunger, cold, or savage beasts: nor could men unassisted by work-beasts, and over-burthened in supporting themselves, employ any cares or labour in their defence. Reason therefore will shew, that these tractable creatures fitted for labour are committed to the care and government of men, that being preserved by human care, they may make a compensation by their labours. And thus a *community* or society is plainly constituted by nature, for the common interest both of men and these more tractable animals, in which men are to govern, and the brute animals to be subject.

Such tractable animals as are unfit for labours, must make compensation to men for their defence and protection some other way, since their support too requires much human labour; as they must have pastures cleared of wood, and be defended from savage creatures. Men must be compensated by their milk, wool, or hair, otherwise they could not afford them so much of their care and labour.

III. **NAY**, if upon the increase of mankind they

were so straitened for food, that many must perish by famine, unless they feed upon the flesh of brute animals; reason will suggest that these animals, slaughtered speedily by men for food, perish with less pain, than they must feel in what is called their natural death; and were they excluded from human protection they must generally perish earlier and in a worse manner by hunger, or winter-colds, or the fury of savage beasts. There's nothing therefore of injustice or cruelty, nay 'tis rather prudence and mercy, that men should take to their own use in a gentler way, those animals which otherwise would often fall a more miserable prey to lions, wolves, bears, dogs, or vultures.

Don't we see that the weaker tribes of animals are destined by nature for the food of the stronger and more sagacious? Were a like use of inferior animals denied to mankind, far fewer of these animals fit for human use would either come into life or be preserved in it; and the lives of these few would be more exposed to danger and more miserable. And then, the interest of the whole animal system would require that those endued with reason and reflection, and consequently capable of higher happiness or misery, should be preserved and multiplied, even tho' it occasioned a diminution of the numbers of inferior animals. These considerations abundantly evidence that *right* of mankind to take the most copious use of inferior creatures, even those endued with life. And yet all useless cru-

elty toward the brute animals is highly blameable.

IV. THE grounds of *property* among men are of a different nature. Complete unlimited *property* is "the right of taking the full use of any goods, and of alienating them as we please." Some degree of ingenuity and strength for occupying certain things, is granted by nature to every one; mankind also naturally are prone to action. Our desire of self-preservation and our tender affections excite us to occupy or acquire things necessary or useful for ourselves and those we love: every man of spirit naturally delights in such exertion of his natural powers, and applauds himself in the acquisition of what may be matter of liberality and friendliness. Our sense of right and wrong also shews, that it must be inhuman and ill-natured, for one who can otherways subsist by his own industry, to take by violence from another what he has acquired or improved by his innocent labours. 'Tis also obvious that the spontaneous fruits of the uncultivated earth are not sufficient to maintain the hundredth part of mankind; and that therefore it is by a general diligence and labour that they must be maintained. Whatever method therefore is necessary to encourage a general industry must also be necessary for the support of mankind; now without a property ensuing upon labour employed in occupying and cultivating things fitted for the support of life, neither our self-love, nor any of the tender affections, would excite men to industry; nay nor even the most extensive benevolence

toward all; since the common interest of all requires that all should be obliged by their own necessities to some sort of industry. Now no man would employ his labours unless he were assured of having the fruits of them at his own disposal: otherways, all the more active and diligent would be a perpetual prey, and a set of slaves, to the slothful and worthless.

Without thus insuring to each one the fruits of his own labours with full power to dispose of what's beyond his own consumption to such as are dearest to him, there can be no agreeable life, no universal diligence and industry: but by such insurance labours become pleasant and honourable, friendships are cultivated, and an intercourse of kind offices among the good: nay even the lazy and slothful are forced by their own indigence, to bear their share of labour. Nor could we hope, in any plan of polity, to find such a constant care and fidelity in magistrates, as would compell all impartially to bear their proper shares of labour, and make a distribution of the common acquisition in just proportion to the indigence or merits of the several citizens, without any partial regards to their favourites. And could even this be obtained in fact, yet the citizens could scarce have such confidence in their magistrates wisdom and fidelity, as would make their diligence and labour so agreeable to them, as when they are themselves to make the distribution of their profits, according to their own inclinations, among their friends or families.

C H A P. VI.

The METHODS of ACQUIRING PROPERTY.

PROPERTY is either *original* or *derived*. The original property arises from the first occupation of things formerly common. The derived is that which is transferred from the first proprietors.

Whosoever either from a desire of preserving himself, or profiting any who are dear to him, first occupies any of the spontaneous fruits of the earth, or things ready for human use on which no culture was employed, either by first discovering them with intention immediately to seize them, or by any act or labour of his catching or enclosing them so that they are more easily attainable and secured for human use, is deemed justly the proprietor for these reasons; that if any other person, capable of subsisting otherways, would wrest from him what he had thus acquired, and defeat and disappoint his labours, he would plainly act inhumanly, break off all friendly society, and occasion perpetual contention. What this person pretends to now, he may attempt anew every hour: and any other person may do the same with equal right: and thus all a man's pains in acquiring any thing may be defeated, and he be excluded from all enjoyment of any thing unless he perpetually defend his acquisitions by violence.

'Tis trifling to imagine that property is any physical quality or bond between a man and certain goods, and thence to dispute that there's no such force or virtue in first espying, touching, striking, or inclosing any thing, as to constitute a sacred right of property; or to debate which of all these actions has the greatest virtue or force. For in all our inquiries into the grounds or causes of property, this is the point in question, " what causes or circumstances shew, that it is " humane and equitable toward individuals, and requisite also to the maintainance of amicable society, " that a certain person should be allowed the full use " and disposal of certain goods; and all others excluded from it?" and when these are discovered, our road is cleared to find out the causes and rules about property

II. THUS therefore we should judge about the different methods of occupation: that 'tis inhuman and unjust, without the most urgent necessity, to obstruct the innocent labours others have begun and persist in, or by any speedier attempt of ours to intercept their natural profits. If therefore any person in search for things requisite for himself, first discovers them with intention immediately to seize or pursue them; one who had employed no labour about them, nor was in search for them, would act unjustly and inhumanly, if by his greater swiftness he first seized them for himself. If severals at once were searching for such things, and at once discover them by sight, they will be com-

mon among them, even altho' one swifter than the rest first touched them; unless by civil laws or custom such points be otherwise determined. If one first espies them, and another conscious of his design, but also in search for such things for himself, first seizes them, the things will be common to both, or in joint property: for there are no more potent reasons of humanity on one side than on the other. If one by his labour or ingenuity incloses or ensnares any wild animals, or so wearies them out in the chase that they can now easily be taken; 'tis a plain wrong for another to intercept them, tho' the former had neither seen nor touched them. If it is known to many that certain lands or goods ly common to be occupied by any one; and severals, not conscious of each others designs, at once are preparing to occupy them, and set about it: by the custom which has obtained, he that first arrives at them is the proprietor. But, abstracting from received customs and laws, such things should be common to all who without fraud or imprudent negligence employed their labours in occupying them, whether they came earlier or later; and should either be held in common, or divided among them in proportion to expence and pains prudently employed by each of them for this purpose. Nay tho' each of them were aware of the designs of the rest; 'tis right that each should proceed and acquire a joint title with others. Nor should those who without any fault of their own came too late, or such whose wise and vi-

gorous attempts have been retarded by accidents, be precluded from their share.

In such disputable cases we should first inquire what reasons of humanity give the preference to any one above the rest; and this chiefly, "that the natural fruits of no man's honourable or innocent labours should be intercepted; or any honest industrious attempts defeated." If this plea belongs alike to all, the goods should be deemed in joint property of all. If some accidents or circumstances make the point very doubtful; and some sorts of goods can neither be held in common, nor divided or sold without great loss; we should follow some implicate conventions of men, appearing by the laws or customs which prevail; and assign the property to him who has on his side such circumstances the regarding of which prevents many inextricable disputes and violent contentions. Hence it is that law and custom so generally favour the first seizer, the public purchaser, and the person to whom goods have been publicly delivered. And this conduces to the common utility.

If different persons intending to occupy agree that the whole should fall to him who first occupies; they ought also to specify the manner of occupation; otherwise different methods may be deemed equally valid, and constitute a joint property. These rules seem the most conducive to peace.

No doubt inextricable questions may arise about what the several parties insisting on their utmost rights

may do, without being chargeable with injustice. But such as sincerely aim at acting the virtuous part, will always easily discern what equity and humanity require, unless they are too much influenced by selfishness. Nor have we reason to complain, that, in these and such like cases, nature has not precisely enough fixed the boundaries, to let us see how very near we may approach to fraud or injury, without actually incurring the charge of it; when we are so loudly exhorted to every thing honourable, liberal, and beneficent.

III. BUT as man is naturally endued with provident forethought, we may not only justly occupy what's requisite for present use, but may justly store up for the future; unless others be in some extraordinary distress. There are also many things requiring a very long course of labour to cultivate them, which after they are cultivated yield almost a perpetual and copious use to mankind. Now that men may be invited to such a long course of labour, 'tis absolutely requisite that a continual property be allowed them as the natural result and reward of such laborious cultivation. This is the case in clearing woody grounds for tillage or pasture; preparing vineyards, oliveyards, gardens, orchards; in rearing or breaking of beasts for labour.

Property is deemed to begin as soon as one begins the culture of what before was unoccupied; and it is compleated when the cultivator has marked out such

a portion as he both can and intends to cultivate, by himself or such as he can procure to assist him: as 'tis plainly unjust to obstruct any innocent labours intended, or to intercept their fruits.

But the abilities of the occupier with his assistants must set bounds to his right of occupation. One head of a family, by his first arriving with his domestics upon a vast island capable of supporting a thousand families, must not pretend to property in the whole. He may acquire as much as there's any probability he can cultivate, but what is beyond this remains common. Nor can any state, on account of its fleets first arriving on a vast continent, capable of holding several empires, and which its colonies can never sufficiently occupy, claim to itself the dominion of the whole continent. This state may justly claim as much as it can reasonably hope to cultivate by its colonies in any reasonable time: and may no doubt extend its bounds beyond what it can cultivate the first ten or twelve years; but not beyond all probable hopes of its ever being able to cultivate. The just reasonable time to be allowed to the first occupiers, must be determined by prudent arbiters, who must regard, not only the circumstances of this state, but of all others who may be concerned, according as they are more or less populous, and either need new seats for their colonies, or have already sufficient lands for their people. If many neighbouring states are too populous, they may justly occupy the uncultivated parts of such a new dis-

covered continent, leaving sufficient room for the first occupiers; and that without the leave of the first discoverers. Nor can the first discoverers justly demand that these colonies sent by other states should be subjected to their empire. 'Tis enough if they agree to live amicably beside them as confederated states. Nay as in a free democracy, 'tis often just to prevent such immoderate acquisitions of wealth by a few, as may be dangerous to the public, even tho' these acquisitions are a making without any private injuries: so neighbouring states may justly take early precautions, even by violence if necessary, against such acquisitions of any one, as may be dangerous to the liberty and independency of all around them; when sufficient security cannot be obtained in a gentler way. Nothing can be more opposite to the general good of mankind than that the rights, independency, and liberty of many neighbouring nations should be exposed to be trampled upon by the pride, luxury, ambition, or avarice of any nation.

'Tis plain however, that both individuals and societies should be allowed to acquire stores of certain goods far beyond all their own consumption; since these stores may serve as matter of commerce and barter to obtain goods of other kinds they may need.

IV. FROM these principles about property it appears, that such things as are inexhaustible by any use, are not matters of occupation or property, so that others could be excluded from them: for this further

reason too, that such things can scarce be improved by any human labour. If indeed for the more safe use of any of them labour or expences are requisite; those who wisely employ labour or expence for this purpose, may justly require that all others who use them should in a just proportion contribute to make compensation. The *air*, the *light*, *running water*, and *the ocean* are thus common to all, and cannot be appropriated: the same is the case of *straits* or *gulphs*. And yet if any state is at the expence to build fortified harbours or to clear certain seas from pirates for the behoof of all traders, they may justly insist on such taxes upon all traders who share the benefit as may proportionally defray the said expences, as far as they really are for the benefit of all traders, but no further. Now no man should be excluded from any use of things thus destined for perpetual community, unless this use requires also some use of lands which are in property.

These reasonings also shew that all things were left by God to men in that community called *negative*, not *positive*. *Negative community* is "the state of things exposed to be appropriated by occupation." *Positive community* is "the state of things in the joint property of many:" which therefore no person can occupy or acquire without the consent of the joint proprietors. At first any one might justly have occupied what he wanted, without consulting the rest of mankind; nor need we have recourse to any old con-

ventions of all men, to explain the introduction of property.

V. THE goods called by the Civilians *res nullius*, which, as they say, are not in property, and yet not exposed to occupation; * such as temples, the fortifications of cities, and burial-places, are truly the property either of larger societies, or of families; altho' this property is often so restricted by superstitious laws, that it can be turned to no other use. 'Tis vain to imagine that any such things afford use to the Deity, or that his supreme right over all can be enlarged or diminished by any human deed.

The goods belonging to states † are not in the property or patrimony of any individuals, nor come into their commerce. But they are the property of the community, which may transfer them as it pleases. Such are public theatres, high-ways, porticos, aqueducts, bagnios.

Things formerly occupied may return into the old state of community if the proprietor throw them away, or abandon his property; and this intention of abandoning may sometimes sufficiently appear by a long neglect of claiming it, when there's nothing to obstruct his recovery. A long possession in this case will give another a just title. Goods unwillingly lost fall also to the fair possessor, when the proprietor cannot

* Of these there are three classes, *sacrae, sanctae, religiosae*. Of which follow three examples in order.

† *Res publicae*, or *res populi*.

be found. There are also other reasons why civil laws have introduced other sorts of *prescription* * for the common utility, and to prevent inextricable controversies.

In the occupying of lands, a property is also constituted in such things as cannot be used without some use of the ground; such as lakes, and rivers as far as they flow within the lands in property; nay such parts also of things otherwise fit for perpetual community, as cannot be left open to promiscuous use without endangering our property; such as *bays* of the sea running far into our lands, and parts of the ocean contiguous to the coast, from whence our possessions might be annoyed. But by occupying lands we acquire no property in such wild creatures as can easily withdraw themselves beyond our bounds, and are no way inclosed or secured by our labour. And yet the proprietor may justly hinder others from trespassing upon his ground for fowling, hunting, or fishing.

All natural, accidental, or artificial improvements, or adventitious increase, are called accessions, such as fruits of trees, the young of cattle, growth of timber, and artificial forms. † About which these general rules hold, 1. “ All accessions of our goods which
“ are not owing to any goods or labours of others,

* *Usucapio*.

† *Fructus, incrementa, alluviones, commixtiones, confusiones, specificationes*. The explication of all these may be found in any compend of civil law, or law dictionary.

" are also our property; unless some other person has
" acquired some right which limits our property."

2. When without the fraud or fault of any of the parties, the goods or labours of different persons have concurred to make any *compound*, or have improved any goods, " these goods are in joint property of all
" those whose goods and labours have thus concurred; and that in proportion to what each one has
" contributed." Such goods therefore are to be used by them in common, or by turns for times in the said proportion, or to be thus divided among them, if they will admit division without loss.

3. But if they admit no such common or alternate use, or division, they to whom they are least necessary should quit their shares to the person who needs them most, for a reasonable compensation, to be estimated by a person of judgment and integrity.

4. When by the fraud or gross fault of another, his goods or labours are intermixed with my goods, so that they are less fitted for my purpose; the person by whose gross fault this has happened is bound to compensate my loss * or make good to me the value of my goods, nay † all the profit I could have made had they been left to me entire as they were; and let him keep to himself the goods he has made unfit for

* This *penfatio damni*, which is often due when there was no fraud in the case.

† *Pensare quod interest*, which always includes the former, and often extends much further.

my purpose. But if by the intermedling of others my goods are made more convenient for me, my right remains; and I can be obliged to compensate to them no further than the value of the improvement to my purposes, or as far as I am enriched.

Full property originally contains these several rights: first, that of retaining possession, 2. and next, that of taking all manner of use. 3. that also of excluding others from any use; 4. and lastly, that of transferring to others as the proprietor pleases, either in whole or in part, absolutely, or under any lawful condition, or upon any event or contingency, and of granting any particular lawful use to others. But property is frequently limited by civil laws, and frequently by the deeds of some former proprietors.

C H A P. VII.

Of DERIVED PROPERTY.

THE derived rights are either *real* or *personal*.

The materials whence all real rights arise is our property. Personal rights are founded on our natural liberty, or right of acting as we choose, and of managing our own affairs. When any part of these original rights is transferred to another, then a personal right is constituted.

To apprehend this distinction, which has place in the law of nature, as well as in civil law, 'tis to be observed, that the common interest of all constantly requires an intercourse of offices, and the joint labours of many: and that when mankind grow numerous, all necessaries and conveniencies will be much better supplied to all, when each one chooses an art to himself, by practice acquires dexterity in it, and thus provides himself great plenty of such goods as that art produces, to be exchanged in commerce for the goods produced in like manner by other artificers; than if each one by turns practised every necessary art, without ever acquiring dexterity in any of them.

'Tis plain too, that when men were multiplied considerably, all lands of easy culture must soon have been occupied, so that there would none remain in common; and that many could find none to occupy

for their support, such persons therefore would have no other fund than their own bodily strength or ingenuity, that by their common or artificial labours they might procure necessaries for themselves: the more opulent too, for their own ease, would more frequently need the labours of the indigent, and could not with any conscience expect them gratuitously. There must therefore be a continual course of contracts among men, both for the transferring of property or real rights; and the constituting claims to certain services, and to certain quantities or values, to be paid in consideration of these services; which are personal rights.

Now it would often happen that a proprietor without entirely transferring his property in lands or other goods, would yet consent so to subject them to certain claims of his creditor, that unless the debt be discharged at the time agreed, the creditor by the possession or sale of such lands or goods might secure himself: by a transaction of this kind a *real right* is constituted. Sometimes the creditor would have such confidence in the wealth and integrity of his debtor, that he would demand no such *real* security as a pledge or mortgage, but accept of a personal obligation, which had no more peculiar respect to any one piece of goods or property of the debtor than another. In like manner; from any damage done there would arise only a *personal right*. But further, when it was found absolutely necessary to maintain the faith of commerce,

certain public and notour forms have been received, to make full translation of property: which must have always been deemed so valid and sacred, that no prior latent contracts with others could defeat them. Were not such *forms* thus agreed upon, no man would buy any thing; since he could have no security that it would not be wrested from him by a third person upon some prior latent contract. A good man no doubt will sacredly regard all his contracts and obligations personal or real; and avoid what may defeat any right of another of any kind. But there's such a necessity of maintaining the faith of public commerce, * that all contracts entered into publickly and without fraud, in order to transfer real rights, must take place of latent contracts and personal rights, tho' prior in time.

II. DERIVED real rights are either certain parts of the right of property, subsisting separately from the rest; or complete property transferred. The parts which often subsist separately are four, the *rights of possessing* what one obtains without force or fraud; the *rights of heirs in entail*; the rights of the *pledge* or *mortgage*; and *servitudes*.

He that possesses the goods of another without fraud or violence, either knows that they are the

* Whatever may be determined by human laws or courts, there is no natural foundation in justice for preferring the pledge or mortgage as to any loans made after he knew the debts due to others, and suspected that they were in danger of losing them.

property of others; or upon probable ground believes them to be his own. And this latter is the *bonae fidei possessor*, or the presumptive proprietor.

Whosoever by fraud or violence possesses the goods he knows belong to others, has no manner of right. The proprietor, or any other honest man for the proprietor's behoof, has a right to demand and take them from him by force, to restore them to the proprietor. But when we get possession of any goods without fraud or violence, which we know belong to others, (as when one finds goods lost at land, or wrecks at sea,) these we may detain till they are claimed by the proprietor, or some person commissioned by him; and if no such person ever appears, the goods fall to the possessor. But in such cases the possessor is bound to give public notice that he has found such goods, and is ready to restore them to the owner: to conceal them would be equal to theft. But he may justly insist to have all his prudent charges in the keeping or advertising them refunded to him.

The obligations on the presumptive proprietor are, first to restore to the owner the goods, with all their unconsumed fruits, profits and increase.

2. If the goods or their increase be consumed, to refund to the value of what he is enriched by the use of them, in sparing so much of his own property; or as much as it can be deemed valuable to him to have so long lived with more elegance or pleasure, considering his circumstances. For 'tis a just maxim, that

“ no person should derive to himself any pleasure or
“ advantage at the expence of another without his
“ consent.”

3. If both the goods and their increase have perished by accident, the presumptive proprietor who holds no profit by them is not obliged to make good the value: nor is he accountable for such profits as he neglected to take: for he used these goods believing them to be his own, even as he would have used his own. But one ceases to be deemed presumptive proprietor as soon as he has any probable intimation that the goods are not his own, by any plausible claim put in by another: and whatever is culpably lost, squandered or grossly neglected thereafter he is bound to make good.

4. When the presumptive proprietor restores to the true owner any goods he bought or obtained for valuable consideration; he may justly insist to have the price or consideration restored to him by his *author*, or the person from whom he obtained them.

5. Where this person is bankrupt, or can't be found, the cause of the presumptive proprietor is as favourable as that of the true one. Nor does the true proprietor hold by any title more sacred than by purchase, succession, testament, or donation, which are the ordinary foundations of the true property, as well as of the presumptive. And since a certain loss must fall upon one or both parties, nor is there any reason of public interest pleading for one more than the o-

ther; the loss should be equally divided between them, unless some reasons of humanity recommend a different decision; especially since it often happens, that the presumptive proprietor has done a most valuable service to the proprietor, in purchasing his goods, which otherwise might have been lost to him for ever. If one pleads the general advantage of making purchasers look well to their titles, that they may not purchase goods injuriously obtained: 'tis on the other hand an equal public advantage that the proprietors be made more vigilant about their goods, lest when they are lost or stolen through their negligence, fair purchasers may be involved in losses by their means.

6. Where the presumptive property has been obtained gratuitously, and the goods are claimed by the true owner, they must be restored. Nor has the person who got them gratuitously in this case any recourse for their value.

III. CONCERNING the right of heirs in entail, these points seem clear; that one who has full property may transfer his goods to any person upon any contingency, or under any lawful conditions. The right therefore of persons in remainder is as sacred as any right founded in donation: nor is it less inhumane to hinder the proprietor to convey his property to a person dear to him, upon any contingency, than to hinder a friendly immediate donation, or conveyance to his first heir upon the event of his death. It is no less inhumane to defeat the hopes of the second or third in remainder,

without any demerit of theirs, than to intercept other donations to friends. And yet there may be prudent reasons why civil laws should prevent making such perpetual entails as may be very inconvenient to the several successors in their turns, or pernicious to the community; even as courts of equity often make void prodigal and inconsiderate donations.

IV. FOR further security to creditors pledges and mortgages were introduced, or goods so subjected to the power of the creditor * that, if the debt is not discharged at the time prefixed, the goods should become the property of the creditor. In this there would be no iniquity, if the creditor in such cases were also obliged to restore to the debtor whatever surplus of value there was, upon a just estimation of the goods, beyond the sum of the debt. † Where such real security is given, it takes place of all prior debts, which have not been publickly intimated before the mortgage. Nor can prior creditors justly complain: let them blame themselves that they insisted not on higher security, and thus are postponed to creditors who using more caution insisted on higher, and who had no notice of their prior claims.

* This clause is called *lex commissoria*, or the clause of entire forfeiture.

† Here no mention is made of the difference between the *pignus*, and *hypotheca* as in the original. Our words *pledge* and *mortgage* don't fully express it. *Pignus* is like a mortgage with possession, and *hypotheca*, one without possession, whether of lands or moveables.

V. THE last class of real rights are *servitudes*, that is "rights to some small use of the property of " others;" which generally arise from contracts; or from this that in the transferring of property they have been reserved by the granter; or sometimes from civil laws. All servitudes are real rights, terminating upon some definite tenement. And yet with regard to the *subject* they belong to, and not the *object* they terminate upon, they are divided into *real* and *personal*. The *personal* are constituted in favour of some person, and expire along with him: the real are constituted for the advantage of some tenement, and belong to whatever person possesses it. * An instance of the former is tenantry for life impeachable for waste. The real servitudes are either upon *town-tenements*, or *farms* in the country. Instances of the former are the rights of putting beams or rafters into a neighbouring gable or wall; a right that our windows shall not be obstructed by any building in the adjacent tenement; and such like. The rural servitudes, are chiefly that of roads for passage or carriages, or of little channels for rivulets, brought through a neighbouring farm.

* The several servitudes mentioned in the original could not have been explained to an English reader without a very tedious and useless discussion, as the Roman servitudes differed much from ours. They are found in every compend of the civil law.

C H A P. VIII.

*The METHODS of TRANSFERRING PROPERTY,
CONTRACTS, SUCCESSION, TESTAMENTS.*

PROPERTY may be transferred, either by the *voluntary deed* of the former proprietor, or without any deed of his, by *appointment of law* either natural or civil: and in each of these ways it is transferred either *among the living*, or upon the event of death.

By the deed of the proprietor among the living, property is transferred either *gratuitously* in donations; or for *valuable consideration* in commerce, wherein a price, or goods of equal value, or rights, are transferred in consideration of it. This power of alienating, we formerly shewed, is included in the right of property. We treat of contracts and commerce hereafter.

II. By the deed of the proprietor upon the event of death property is transferred in *testaments* or *last-wills*. According to the law of nature "any declaration of a man's will how his goods should be disposed of upon the event of his death," is a valid testament; provided there be sufficient documents or proof made of this will. For that of which no proof can be made must be deemed as if it were not.

The nature of property itself, and the known in-

tention of mankind in their acquiring goods beyond their own use, that they may contribute to the happiness of such as are dearest to them, shew that the wills of the deceased which contain nothing iniquitous should be observed. 'Tis cruel and inhumane, and destructive to industry to hinder men to transfer as they incline what they have acquired by their innocent labours, and that upon any contingency. It would be disagreeable and often highly inconvenient to oblige men while they are living, and perhaps in good health, to make irrevocable conveyances of their property to their kinsmen: It would also be cruel to deprive the dying of this satisfaction that their acquisitions should be of advantage to their friends: It would be inhumane toward the surviving friends, the heirs or legatees, to frustrate or intercept the kindnesses intended them by the deceased. Without regard therefore to the metaphysical subtilities of such as object, that *'tis absurd men should then be deemed to will and act when they become incapable of will or action*, we conclude that the law of nature grants this power of disposing by will.

But as many obligations both of a perfect kind, and such as are pretty near of equal sanctity, must be discharged out of our goods, all just debts must be paid, our children, or indigent parents maintained: wills are therefore justly made void as far as they interfere with these obligations. Nay tho' there were no surviving parents or children, 'tis reasonable that

other near indigent kinsmen, who have given no just cause for their being thus neglected, should be admitted to certain shares of the fortune of the deceased, even contrary to an inhumane capricious will. The law of nature too as well as civil laws invalidate any thing in wills which may be detrimental to the community; and enjoin that wills be made with such solemn forms and circumstances as may be necessary to prevent forgeries: and, where these forms are omitted without necessity, deems the will to be void.

III. PROPERTY is transferred *among the living*, even against the will of the proprietor, by appointment of law, for the performance of whatever the proprietor was strictly bound to perform, and yet declined. This branch will be more fully explained when we treat of contracts, and the rights arising from damage done either injuriously or without a crime, and the manner of prosecuting our just rights*.

Upon *the event of death*, without any deed of the proprietor, property is transferred *by the law* in the *successions to the intestate*. The natural grounds of which are these: 'tis well known that the intention of almost all mens acquisitions beyond their own use, is to profit those whom they love. This universally known intention of mankind is a continual declaration of their will: now according to the general temper of mankind, our children and near kinsmen are

* Chap. xv. of this book.

dearest to us, and 'tis for them we universally endeavour to obtain not only the necessary supports, but even the pleasures and ornaments of life. Nay God and nature, by making these ties of blood bonds also of love and good-will, seems to have given our children and kinsmen if not a perfect claim or right, yet at least one very near to perfect, to obtain not only the necessary supports, but even the conveniencies of life from their wealthy parents or kinsmen, unless they have forfeited it by their vicious behaviour. 'Tis therefore cruel to deprive men of this general consolation upon the event of sudden death, against which no man can take certain precautions, that the fruits of their industry shall fall to their children or kinsmen. And 'tis plainly cruel and unjust to defeat these rights of children and kinsmen which God and nature have given them.

Nay where the custom has prevailed of admitting children and kinsmen to succeed; 'tis justly presumed that this was the very intention of the deceased. And this right of succession has the same foundation in justice with testaments.

Where there are no children or very near relations, like arguments of humanity would plead for friends, if it were known that any such had been singularly dear to the deceased. But where by custom or law the remotest kinsmen are preferred to friends; 'tis presumable that this was the intention of the person deceased, unless proof can be made of his hatred

to his kinsmen. The causes of this law or custom prevailing every where, are these; that nature almost universally endears our kinsmen to us; that 'tis easy to compute the degrees of kindred, but impossible those of friendship; and that we so frequently see that men who seemed most to delight in the company of friends and not of kinsmen, yet when they declare their own will about their goods, they leave them almost always to kinsmen.

Kinsmen should succeed according to their proximity, those of equal degrees equally. First our children, among whom grandchildren by a child deceased should be admitted, at least to the share their parents would have had: nay sometimes humanity would appoint them a greater share, where many such orphans are in straits. Along with children some share is due to indigent parents, at least as to the necessities of life; nay brothers in distress should have some share. When there are no children or parents surviving, brothers and sisters, with the children of any such deceased, at least for their parents share, should be admitted: and when none such survive, cousin-germans by brothers or sisters, and their posterity.

IV. THE constitution and civil laws and customs of some states may require that a far larger share of the goods of persons deceased should go to sons or other heirs male, than what goes to daughters, or to females in the same degrees with the males, and to the eldest of males beyond what goes to the younger.

And yet there can scarce be any reason for that vast difference made on these accounts in many nations. The law of nature scarce makes any difference among persons in equal degrees on account of sex or seniority: nor does it establish the lineal succession, where some one must always as it were sustain the person of the deceased and succeed to his real estate. This succession is wholly a* human contrivance, and often absurd and iniquitous. In the first degree all other differences yield to that of the sex. But in the second and remoter degrees, both the preeminence of sex in the successors themselves and seniority, give place to the preeminence of sex and the seniority of the deceased parent, so that an infant grand-daughter or great grand-daughter by an eldest son deceased takes place of a grandson of mature years and wisdom by a second son, nay of the second son himself. And the like happens among nephews and nieces and their children, in succeeding to the fortunes of their uncles: and in the successions of cousins-german or more remote.

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* This lineal succession to private fortunes has manifestly been introduced by the Feudal laws of the Lombards.

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